The JOURNAL

OF THE BAR ASSOCIATION OF THE STATE OF KANSAS

UNIV. OF MICH.

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Announcing Coming Events

Third Annual Mid-Year One-Day Meeting of All Committee Members of the Bar Association of the State of Kansas at Hotel Allis, Wichita, Kansas, October 8, 1954, 10:00 a.m.

Seventy-Third Annual Meeting of the Bar Association of the State of Kansas at Hutchinson, Kansas, May 19, 20 and 21, 1955—Headquarters, Hotel Baker.

VOL. XXIII No.

AUGUST • 1954

HAVE WAR CONDITIONS

AFFECTED YOUR ESTATE PLANNING?

REVIEW YOUR ESTATE ARRANGEMENTS

We suggest that you:

- Substitute flexible investment and administrative clauses.
- Authorize payments from principal for financial emergencies.
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The Journal of the Bar Association of the State of Kansas

VOL. XXIII AUGUST, 1954 No. 1

Published Quarterly, August, November, February and May, by the Bar Association of the State of Kansas

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MID-YEAR AND ANNUAL MEETING DATES

Friday, October 8, 1954, has been fixed as the date for the third annual Mid-Year one-day meeting of all Committees of the Bar Association of the State of Kansas. The committee meetings will be in the Allis Hotel at Wichita, beginning at 10:00 a.m.

The dates for the 1955 Convention (73rd Annual) of the Association were further discussed by the Executive Council at its May meeting in Hutchinson. The dates agreed upon provide for the convening of the Annual Meeting Thursday morning, May 19, 1955, with final adjournment Saturday noon, May 21. As stated in the minutes submitted by the Executive Secretary: "This would have the net effect of extending the Convention one-half day since the business meeting would start Thursday morning, May 19, and the Convention proper would continue until Saturday noon." It will also mean that the meetings of most of the affiliated Associations (viz., Judges, City Attorneys, etc.) will be held on Wednesday, May 18, 1955.

In other words, within the above-mentioned dates, the events of the 1955 Annual Meeting of the Association will be scheduled by President Claude I. Depew, his assistants and the Program Committee, with the advice and co-operation of the Reno County Bar.

On May 29, 1954, at its meeting in Hutchinson, the Executive Council filled vacancies occurring in the eleven standing committees and appointed members to serve on thirteen special committees. A new committee on "Improvement of Laws and Procedure" consisting of sixteen members, was established this year. It replaces two old committees on "Court Procedure" and "Criminal Law."

The purpose of this new committee is "to interest all lawyers of Kansas and

seek their advice, counsel and aid in continually improving and modernizing laws and procedures and providing for speedier and more efficient administration of law and justice. To consider and coordinate all suggestions received, and to study and to make recommendations to the Association from year to year for new legislation, amendments and repeal of laws, both civil and criminal, and procedures, all of which, when approved by the Association, may be submitted to the legislature for consideration."—F.C.

JUSTICE—ORIENTAL STYLE

By ELLSWORTH GREEN, JR.*

Even my past experience did not prepare me for the scene which greeted me after I had my driver stop the staff car in order to see what was causing the anguished cries which upset the quiet atmosphere of the Calcutta American Army Hospital Compound.

We used Ghurkas—the tough little warriers from the border state of Nepal —as guards for the hospital area, and the American Army employed hundreds of coolies to perform the many menial tasks. One of these hapless coolies, clad only in a loin cloth, was being held by a Ghurka guard while another beat him with a British Officer's belt of wide leather, which was a particularly lethal weapon, because of the three inch square brass buckle at the end. Every time the belt rose and fell, blood spurted in a new place from the coolie's flesh.

Although my study of foreign languages had been restricted to French and Spanish, I had learned enough Hindustani and Erdu to get by, but Nepalese is just a little different and I wasn't too certain I comprehended all the answers the Ghurka Guards gave in response to my inquiries as to why they were beating the coolie. Before long, however, they made me understand that they suspected the Indian of having stolen a shirt. They were in the process of securing a "confession." There was no proof of his guilt, and the man had not been formally served with any warrant. The only evidence was the fact that the man had been close enough at one time or another to have taken the shirt.

This was sufficient evidence to the Nepalese Policemen. The "wog" was an untouchable. This meant the soul which occupied his body was so bad that after he died, it would no longer be allowed to occupy the body of a human, and might be forced by the Lord to become the soul of a cow. Because the man had been born into that great community, he couldn't possibly do anything right. After all, the high-caste Brahmas had preached for years that the "untouchables" weren't fit to allow their shadows to be cast upon a Brahma. They weren't permitted to enter the Hindu temples of worship.

Unfortunately, the Ghurkas weren't under my command, so I couldn't give them orders. I offered to pay for the shirt, but this meant nothing to the

*Executive Manager, Kansas City, Kansas Chamber of Commerce; Instructor of Business and Professional Speech, University of Kansas City; Past National Commander, China-Burma-India Veterans' Association; Past Department Commander, Kansas Department Disabled American Veterans.

Ghurkas, who were more intent upon forcing an admission of guilt than they were concerned about the return of the stolen merchandise. The fact that their unfortunate victim would be dead by the time they had their "confession" was of little consequence to them. After all, weren't there more people than there were bowls of rice to go around? And since, according to the Hindu Gods, men were born so unequal, why should anyone worry about the life of one wretched coolie?

In desperation, I remembered two cartons of cigarettes which I had just purchased. Hastily getting them from the car, I offered the smokes to the two Ghurka guards, provided they would immediately stop the thrashing. Their objective was immediately forgotten once the guards realized the significance of the bribes. Any owner of 2,000 American cigarettes was a great man indeed! Their victim was forgotten and left by the side of the road as they grabbed the cartons, opened one package each, and squatted under the shade of a nearby palm tree, where they proceeded to puff away, with the cigarette stuck between the second and third fingers, rather than being held in the lips, American style.

If the coolie thanked me formally, I wasn't aware of it. His miserable cries stopped, and he poured out thousands of words in a dialect which was not too familiar to me. The closest approach to a thank you which I understood were the words "Nere Sani", which literally translated, mean "very kindly". But the look in his eyes was all the thanks I needed. I had solved none of India's caste problems, but the life of one poor coolie had been saved. Thank God for America, where there is the old-fashioned belief in the dignity of man!

266985

RECENT ADDITIONS TO THE STATE LIBRARY

Auerbach, Carl A. and Nathanson, Nathaniel L. The federal regulation of transportation. Materials illustrating problems of public utility control. (American casebook series) West, 1953.

Barton, Walter E. Federal income, estate and gift tax laws correlated. 11th ed., Tax Law Pub. Co., 1953.

Belli, Melvin M. Modern trials. 3 v., Bobbs-Merrill, c. 1954. (v. 1 received, remaining volumes to be published soon.)

Burby, William E. Handbook of . . . real property. 2d ed. (Hornbook series) West, 1954.

Chermack, Lawrence E. The law of revenue bonds. National Institute of Municipal Law Officers, 1954.

Emerson, Thomas I. and Haber, David. Political and civil rights in the United States. Dennis, 1952.

Fox, Harold G. The law of master and servant in relation to industrial and intellectual property. Univ. of Toronto pr., 1950.

Gagliardo, Domenico. Introduction to collective bargaining. Harper, c. 1953.

Gatley, Clement C. Libel and slander in a civil action . . . 4th ed. by Richard O'Sullivan. Sweet & Maxwell, Ltd., 1953.

Hartman, Paul J. State taxation of interstate commerce. Dennis, c. 1953.

Hoffman, Leo J. Voluntary pooling and unitization—oil and gas. Matthew Bender, 1954.

Kansas, Sidney. Immigration and nationality act annotated. 4th ed., 1953.

Modern Legal Forms. 6 v. Vernon. 1953 supplements.

Nadler, Charles E. Law of debtor relief—bankruptcy and non-bankruptcy devices. Harrison co., 1954.

Newman, Ralph A. Labor relations. Dennis, 1953.

Prentice-Hall, Inc. Pension and profit sharing service. c. 1953. (Loose-leaf service).

Remmlein, Madaline Kinter. The law of local public school administration. McGraw-Hill, 1953.

Saskatchewan Revised Statutes, 1953. 4 v., Queen's printer, 1953.

Spencer, William J. and Gillam, Cornelius W. Textbook of law and business. 3d ed., McGraw-Hill, 1952.

Stryker, Lloyd Paul. The art of advocacy—a plea for the renaissance of the trial lawyer. Simon & Schuster, 1954.

Torff, Selwyn H. Collective bargaining negotiations and agreements. McGraw-Hill, 1953.

Toulmin, Harry A. Handbook of patents. 2d ed., Anderson, 1954.

White, Leonard D. The states and the nation. Louisiana State U. pr., 1953.

Whitney, Frederick A. Law of contracts. 5th ed., Matthew Bender, c. 1953.

Winters, Glenn R. Bar association organization and activities. A handbook for bar association officers. Published for the Survey of the Legal Profession and the Conference of Bar Association Presidents by the American Judicature Society. 1954.

Yokley, E. C. Zoning law and practice. 2d ed., 2 v., Michie, 1953.

(Books may be borrowed from the Kansas State Library for limited periods of time and will be mailed upon request.

CITY ATTORNEYS' PAGE

VICTOR H. TEGARDEN, Liberal.....*President*

GORDON K. LOWRY, Valley Falls.....*1st Vice-President*

FRED C. LITTOOY, Hutchinson.....*2nd Vice-President*

C. W. BRENNEISEN, JR., Kansas City,.....*Secretary*

WILLIS K. DILLENBERGER, Oswego.....*Treasurer*

Planning Conference Held

President Vic Tegarden, Liberal, held the annual mid-year planning conference in the offices of the League of Kansas Municipalities on Friday, July 9.

City Attorneys present included: Fred Carman, Topeka; Willis K. Dillenberger, Oswego; Charles Brenneisen, Jr., Kansas City, Kansas; Lawrence Curfman, Wichita; Hal Sheppeard, Clay Center; Fred Littooy, Hutchinson; Bob Briley, Chanute; Gordon K. Lowry, Valley Falls; James W. Putnam, Emporia; Keith Sibilus, Norton.

The group perfected the agenda for the next conclave for City Attorneys to be held at the Town House on Monday, September 20, 1954. The program planned includes:

9:30—Registration

10:00—Opening Session

10:10—Discussion on condemnation of unsafe and dangerous buildings.

11:00—Panel: The role of the City re trees in the parking, general tort liability and personal injury actions.

12:00—Luncheon

1:30—Legislative Program, 1955

3:30—General Discussion

5:00—Hospitality Hour

Members Plan Legislation

Three city attorneys, as members of the Legislative Committee of the Kansas League of Municipalities, met with the committee on July 9 to launch plans for legislation to be presented to the '55 Kansas Legislature. City Attorneys present were: Fred Aley, Wichita; R. C. Woodward, El Dorado; Charles D. Stough, Lawrence.

New Committees Created

President Tegarden has appointed James W. Putnam, Emporia, to head a group which will present the committee action planned for the Association. It is believed that several standing committees should be created and that these committees should make annual reports to the Association which will keep all city attorneys up-to-date on the latest developments. Committees suggested thus far are: eminent domain, zoning, traffic courts, tort liability and financing. The scope of the annual studies would be limited to the role of Kansas municipalities in the respective fields. Putnam will report on the organization pattern at the September meeitng.

Chesney Becomes Executive Secretary

L. W. Chesney, Assistant Attorney of the League of Kansas Municipalities, has been selected as the executive secretary of the City Attorneys' Association and his new title will give some official recognition to the many duties he now performs for the Association.

To National Convention

Among the city attorneys scheduled to attend the annual convention of the National Institute of Municipal Law Officers are: Fred Littooy of Hutchinson and Lawrence Curfman, Wichita. The convention will be held in mid-September at Los Angeles.

WELCOME TO NEW LAWYERS

In June, 1954, fifty-eight successful candidates for admission to the bar took their oath before the Supreme Court at Topeka. The Executive Council of this Association believes there is need for liaison between the new attorneys who are still seeking associations or other opportunities and those established lawyers who desire to offer same or have knowledge thereof. For this purpose, lawyers are urged to make use of the Association's office by forwarding pertinent information to John W. Shuart, Executive Secretary, 522 Garlinghouse Building, Topeka, Kansas. The names and addresses were listed as follows:

Name	*Address*	*School*
Cornelius Bernard Moy, Jr.	3008 E. Funston, Wichita	Drake U.
George Douglas Ramspeck	Medicine Lodge	Chicago U.
Bruce B. Fitts	Wichita	Okla. U.
Charles Keith Franks	3129 W. 44, Kansas City	U. of K.C.
Schubert D. Henry, Jr.	4701 W. 61, Mission	U. of K.C.
*John Watrous Plummer	517½ Main, Newton	Washburn
*William Elmer Cain	2615 Somerset Dr., Kansas City, Mo.	K.U.
*Graydon Dean Luthey	1193 Washburn, Topeka	Washburn
*George Eugene Peabody	1600 Grove, Topeka	Washburn
*Bernard Volney Borst	1015 Kentucky, Lawrence	K.U.
*Joseph Eugene Balloun	1758 N. Main, Russell	K.U.
*Lester Lee Banks	509 N. Cedar, Abilene	Washburn
*Warren Dale Andreas	319 E. 10, Abilene	K.U.
*Harold Dean Cotton	709 S. Walnut, McPherson	Washburn
*Gerald D. Lasswell	Ashland	Washburn
Cliff Warren Ratner	104 E. Brookside Dr., Wichita	K.U.
*Glen Edwin Opie	2700 16th, Great Bend	K.U.
Sherwood (Jack) Noll	2720 E. 9, Wichita	Ark. U.
*George Lewis Stockwell	Valley Falls	Washburn
*Robert Gerald Lauck	230 N. Lorraine, Wichita	K.U.
*Samuel Charles Jackson	1012 Branner, Topeka	Washburn
Gerald Joel Sawatzky	321 Wedgewood, Topeka	K.U.
*Charles Seth Lindberg	Box 307, Madison	K.U.
*Roy Sutton Bennett, Jr.	1515 Morgan, Parsons	K.U.
*Robert E. Stewart	4311 Troup, Kansas City	K.U.
*Dikran Christopher Milton	1406 Central, Dodge City	K.U.
*Delton Spencer Yohe	Burrton	K.U.
Robert Eugene Trego	13900 W. 67, Shawnee	K.U.
*James Benjamin Gurley	Barnard	K.U.
Willard Bradley Post	Meade	Washburn
*Harold Dean Shuman	El Dorado	Washburn

*Member of the Bar Association of the State of Kansas.

*Donald Paul Blinn	Lecompton	K.U.
*Wilson Edward Speer	La Grange, Illinois	K.U.
*Alan Kent Shearer	414 E. 2nd, Russell	K.U.
James Frederick Kubik	1450 Salina, Wichita	K.U.
Richard Lee Ankerholz	816 S. Bell, Lyons	K.U.
*James Lowell Houghton	5th Floor, State House	K.U.
*Louis Francis Eisenbarth	1135 Madison, Topeka	Washburn
Albert Claude Cook, II	6815 Lamar, Overland Park	K.U.
William Benjamin Buechel	613 N. Edgemoor, Wichita	K.U.
*James Albert Wheeler, Jr.	Nat'l Bank Bldg., Olathe	Washburn
*Grover L. Bryan	1311 W. 3rd, Topeka	Washburn
*H. Jay Setter	211 Westwood, Manhattan	Washburn
Carol Virginia Creitz	2021 High, Topeka	Washburn
*Robert Fred Duncan	Washburn U., Apt. 39, Topeka	Washburn
*Donald LeRoy White	910 Willow, Ottawa	K.U.
*Ronald B. Stang	LaCrosse	K.U.
Floyd Milton Baird	6312 Santa Fe Drive, Merriam	Mo. U.
*Jack Lynn Summers	1523 Lincoln, Topeka	Washburn
*Richard Lee Reep	Oil Hill	Washburn
Marion George Russell	649 Everett, Kansas City	U. of K.C.
Richard Miles Beary	5530 Yecker, Kansas City	U. of K.C.
Francis Lee Smith	5022 Rosewood Drive, Mission	U. of K.C.
*Robert E. Lee Walker	211 W Spruce, Dodge City	K.U.
*Arden Keith Ensley	1612 College, Topeka	Washburn
*Franklin Stevenson Carman, Jr.	Quinter	Washburn
Magnus Eugene Robinson	Stilwell	U. of K.C.
*Hugh Benjamin Kuder, Jr.	1701 Bryant Bldg., K. C., Mo.	

*Member of the Bar Association of the State of Kansas.

Communications TO THE EDITOR

Address communications to Franklin Corrick, Third Floor, Statehouse, Topeka, Kansas

COMMENTS ON INDEX TO VOLUMES I—XXII

JUDGE CLARK A. WALLACE, Kingman, Kansas:

"Received the last Bar Journal and it is up to the usual high standard. I want to compliment you particularly upon the index which is contained therein. I know that this involved an immense amount of labor, but it seems to me that it will have incalculable worth to the lawyers of Kansas. You are doing a splendid job."

MRS. W. E. (GENE) STANLEY, Wichita, Kansas:

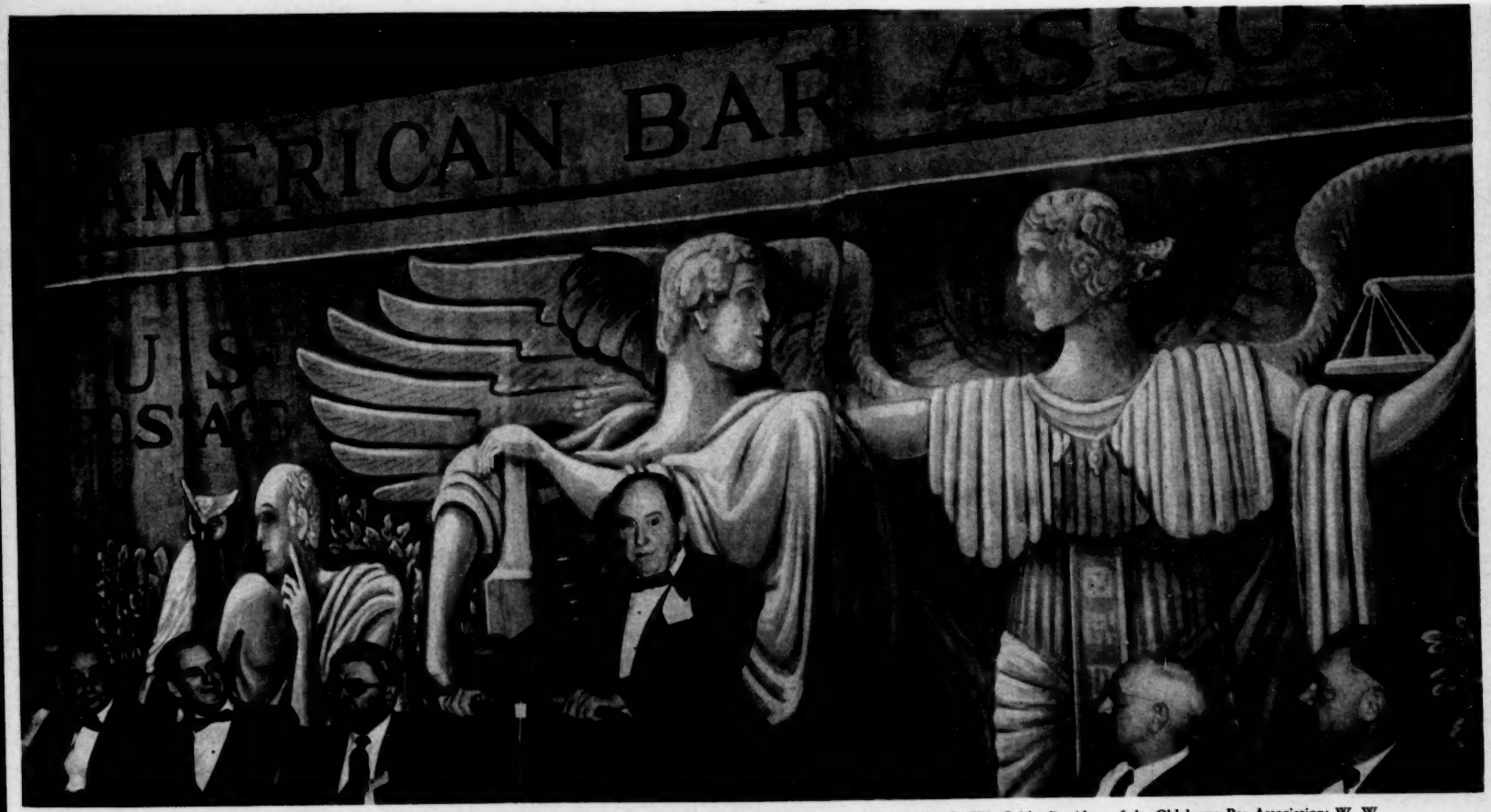
"Today I have received a copy of the May, 1954, issue of the Journal of the Bar Association of Kansas, and I was overwhelmed when I read the splendid dedication page to my loved Gene!

"It was one of the very nicest things you could possibly have done, because it was his Journal, and very close indeed to his heart. I had no idea that such a splendid honor was to be paid to him and I cannot tell you how very grateful I am to you, and how very deeply it touched me.

"The Dedication Page was set up so impressively and so beautifully. It thrilled me with pride to read it! And, in addition, the mention on the next page, listing him as the first Editor-in-Chief! I thought it was so fitting, also, that Claude Depew, his law partner through the many years, was, as President, of course, featured in the same issue.

"What a remarkable number the May issue is! Looking through it, it looks to me like it represents years of work. I have recently given Gene's entire library to the University of Wichita, and with it all the State Bar Journals back to the first issue. In just sorting them, etc., it took me weeks, and just think of the colossal job of indexing that entire thing, consisting of Volumes I—XXII. It is staggering, and I think you have done a very fine job. Congratulations!

"And again—my very great thanks for honoring Gene with this dedication."



Shown at the speakers' table of the 72nd annual banquet of the Bar Association of the State of Kansas are, *left to right:* G. Ellis Gable, President of the Oklahoma Bar Association; W. W. Harvey, Chief Justice of the Kansas Supreme Court; Charles E. Whittaker, President of the Missouri Bar; Beryl R. Johnson, Judge of the Shawnee County District Court, Division No. 1; Edward F. Arn, Governor of Kansas; Jerry Giesler of Beverly Hills, California, principal banquet speaker; Arthur J. Mellott, Chief Judge, United States District Court of Kansas; Claude I. Depew, president-elect of the Bar Association of the State of Kansas.

Pictured at the conclusion of the 72nd annual business session of the Bar Association of the State of Kansas are, *left to right:* George B. Powers, Wichita, reelected secretary-treasurer; L. J. Bond, El Dorado, immediate past president; Claude I. Depew, Wichita, newly-elected president; Claude E. Chalfant, Hutchinson, president-elect; J. Willard Haynes, Kansas City, vice-president; F. C. Bannon, Leavenworth, newly-elected member of the executive council, from district No. 1.

The Journal of the Bar Association of the State of Kansas

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The Editorial Board does not assume collective responsibility for any statement in the columns of the Journal. Each article or communication, including editorial notes, comments on cases, and book reviews, is identified by the name or the initials of the writer.

PROCEEDINGS

OF THE

SEVENTY-SECOND ANNUAL MEETING OF THE BAR ASSOCIATION

OF THE STATE OF KANSAS

TOPEKA, KANSAS

APRIL 16 AND 17, 1954

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presidents, F. C. Bannon, Leavenworth, newly-elected member of the executive council, from district No. 1.

FRIDAY, APRIL 16, 1954—ASSEMBLY ROOM, MUNICIPAL AUDITORIUM

OPENING CEREMONIES

PRESIDENT L. J. BOND: Gentlemen, if you will all be seated we will call this meeting to order. The meeting was arranged to open at nine o'clock, which is quite early as you all realize, and I think we will have a good many of the members of the Bar Association drifting in between now and ten o'clock in time to get in for the Committee reports; and by virtue of my office, I now declare the Seventy-second Session of the Kansas Bar Association open.

If you will all stand, the colors will be advanced by a detail from Capitol Post No. 1 of the American Legion. We will be led in the allegiance to the flag by Commander Conway Yockey of Capitol Post No. 1, following which Dr. Eugene Frank, Pastor of the First Methodist Church, Topeka, Kansas, will lead us in prayer.

INVOCATION

DOCTOR EUGENE M. FRANK: We have so many allegiances, our Father. We have an allegiance to our country and to our homes. We have a loyalty to our profession and to ourselves.

But, we pause just now to acknowledge that our last and final loyalty is to Thee and to Thy kingdom.

Save us, we beseech Thee, from the pride of position and pride of power that destroys people and nations. Keep us humble, we pray Thee, through the defeat of those proud and willful acts of ours that are not in accordance with Thy Divine will. Give us grace to accept, without bitterness, the teachings of Thy providence. Keep us true to the inner voice of duty and help us to bear our burdens wtih courage.

To this end we invoke Thy presence in this convention and beseech Thee to guide us into ways of everlasting peace and goodwill, through Jesus Christ our Lord. Amen.

APPOINTMENT OF CONVENTION COMMITTEES

PRESIDENT BOND: There are three convention Committees to be appointed. On the Nominations Committee, I appoint Judge Somers of Newton, Roy Davis of Hutchinson, and Jim Taylor of Sharon Springs. On the Rules Committee, I appoint Dallas Knapp of Coffeyville, Richard C. Woodward of El Dorado, and Jim Wallace of Scott City. On the Resolutions Committee, N. E. Snyder of Kansas City, Judge Jay H. Sullivan of Emporia, and Auburn Light of Liberal.

The first thing on our program this morning is an address of welcome. I think we all feel that we are very much at home in Topeka, and we have already felt the hospitality of this city; but in order that you may absolutely be sure that we are welcome, we have asked the President of the Topeka Bar, Philip H. Lewis, to give us an address of welcome.

ADDRESS OF WELCOME

MR. PHILIP H. LEWIS, of Topeka: Thank you very much, Mr. Bond. It has been frequently said that lawyers love to hold meetings and that we will hold a meeting at the drop of a hat. I don't think we need to apologize for that attitude. It is good.

In the first place, we like to hold meetings very much for the sheer socialibility of it. Those of us who have practiced law for a few years, have come to the realization that we will not thereby grow wealthy in worldly goods. We seek our satisfaction in a lifetime of enjoyable, professional living. Much of this enjoyment comes from the close fellowship of the Bar.

We do not consider these social phases of the annual meeting as frivolous and of little importance. The whole city of Topeka is concerned. We feel that maybe this year we can help out in your convention. We trust that if there is anything we can do to make your stay here in Topeka more enjoyable that you will call upon us to do so. We want you to go home and be even happier that you are a lawyer than you are now. If we can accomplish that, the meeting will be worthwhile.

Another thing that I want to mention to you is the fact that while Kansas is not overpopulous it is pretty good sized geographically, and we look forward to seeing our lawyer friends that we don't see every day during the course of the year. We think that the wives share in this pleasurable social experience, too.

I want to call your attention—I am not going to enumerate them—but I do want to call your attention to the various activities which have been scheduled for you while you are in Topeka. They are set forth in the program.

I mentioned wives. I trust that all of you have called your wives' attention to the fact that there is to be a coffee this morning at the Governor's Mansion which Mrs. Arn has so graciously made available, and they are planning a very fine luncheon tomorrow noon at the Topeka Country Club. Your wife should secure her ticket for the luncheon today. Fellows, please pass the word on to your wife, or to any of the other wives you see, and urge them to come out. I am sure they will enjoy the luncheon, but they should procure the tickets today because they need to know how many are going to be present. I think all of you will enjoy the Host hour this evening preceding the annual dinner and luncheon tomorrow. It begins promptly at seven o'clock, and we have good entertainment. I just want to mention one or two things about the Bar Show. It is again presented for yourself and your wife. I don't think that your wife will have to be more than reasonably broad-minded, and yet I don't think it will be too bland for your own enjoyment. We have done our best to try to accomplish this and I believe you will find that it is a pretty good Bar Show.

And another thing. I took the time to do a little computing and I took the recorded hours spent in planning and in writing and editing, and rehearsing and producing this show and eliminating any possible private study time—just the recorded time—and applied that hourly figure to the minimum fee schedule, and you are being invited to attend and enjoy a $39,255.00 production! And the tickets are free. It is the bargain of the year! I urge that all of you be there to take it in, in addition to these other social activities.

We also enjoy having meetings because it gives us an opportunity to improve our professional knowledge and technique so that we can better discharge our obligations and responsibilities to our clients. I think that the program which has been set up here for us is admirably designed to do that.

I want to extend a word of congratulations to President Bond, to our Secretary, John Shuart, and Joe Balch's program Committee and everybody else responsible for setting up this excellent program.

One last thing that we sometimes overlook is that we, as a professional group, owe a responsibility to our public over and beyond our personal responsibility to our individual clients. We are officers of the Court pledged to the furtherance of justice. That responsibility does not end with each of us handling our cases. We owe a total professional responsibility. It is only through our Bar Association that we can hope and seek to fulfill our public trust.

To both a fruitful and an enjoyable 1954 Bar Convention, we, the Topeka Bar Association, welcome you here. (Applause)

PRESIDENT BOND: Thank you, Phil. Now, we have selected the President-elect of the Bar Association to respond to this address of welcome. It is customary for the President-elect to make the response, and then we all know that Claude Depew of Wichita is liberal in his viewpoint. I am sure he will not make any rash promises to the Topeka people.

RESPONSE TO ADDRESS OF WELCOME

MR. CLAUDE DEPEW, of Wichita: Mr. Bond, Members of the Bar, and Mr. Lewis: The selection of a place to hold these meetings has quite a lot of formality connected with it. I don't know whether you all know what it takes to get to the point of opening a meeting in Topeka. There is an invitation extended by an official representative of the Topeka Bar saying that in a certain year they would like to have the State Bar Association of the State of Kansas meet here and be entertained by them. That is presented to the Executive Council and after some consideration and sometimes debate it is either accepted or rejected—usually accepted. Then, the meeting is opened and some representative, usually the President of the Topeka Bar, welcomes the members who have come for the meeting.

Mr. Lewis mentioned the wives. I have been coming to Topeka every second or third year now for the annual Bar Meeting for 35 years, and I usually bring my wife. A lot of the wives come to these meetings, and I am glad to see them and I am glad to know that they are welcome.

I am reminded of an incident related the other day by T. Coleman Andrews, the Commissioner of Internal Revenue, that occurred in Boston at the American Bar Meeting when one of the members after hearing the Commissioner's speech, told the speaker something he hadn't thought about. In his speech, he had mentioned the fact that the Internal Revenue Service was going to get a little tough about allowing expenses of attending Bar Conventions. In the past, stenographers' expenses at conventions had

been allowed as deductible expenses, but the expense of bringing wives to a Bar Convention was not deductible.

After the speech, one of the delegates approached him and said, "You are changing the morals and customs of this country, do you know that?" He said, "How is that?" The delegate said, "Well, in my experience, some of the members used to bring their secretaries and introduce them as their wives. Now they are bringing their wives and introducing them as their secretaries so that they can charge off the expense." (Laughter)

We have come to Topeka so often and the wives come so many times with us, and being so close to home, your wives are all known to everyone, so I assume that every wife that is here is the wife of the member that brought her, like mine; and I am glad to know that they are welcome. I have never left an annual Bar Meeting at Topeka with any feeling other than that the Topeka Bar had welcomed us, not only in words, but in deeds; and I thank Mr. Lewis for the welcome he has given us this morning. (Applause)

PRESIDENT BOND: I would like to have a report at this time from Dallas Knapp, if his report is ready, from the Committee on Rules.

Now, I suspect, gentlemen, that this is the same report that Dallas wrote about 20 years ago and has been giving regularly at every session of the Bar Convention. I thought I was entitled to say that after 20 years. (Laughter)

CONVENTION RULES

MR. DALLAS KNAPP, of Coffeyville: Mr. President and Members of the Bar: I have written this out in pen and ink so the other members of the Committee may sign it. I haven't seen them yet this morning.

Your Committee for the Seventy-second Annual Convention of the Bar Association of the State of Kansas, for the rules of this Convention, reports as follows:

1. The order of business shall be the order set out in the printed program, provided, however, the President may make such changes as he may deem necessary or expedient.

2. All members desiring to speak on any question shall first arise and address the Chairman, and shall not proceed further until recognized. Before beginning his remarks he shall state clearly his name and residence.

3. No member shall speak more than once upon the same subject and then not to exceed five minutes, except by consent of the assembly.

4. All resolutions shall be presented in writing and shall be referred to the Resolutions Committee for recommendation.

5. Except as above provided, "Roberts' Rules of Order" shall prevail.

Respectfully submitted, and signed by Dallas W. Knapp, James Wallace, and Richard C. Woodward.

Mr. President, I move the adoption of this report.

PRESIDENT BOND: Did I hear a second?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: All in favor of the motion as stated, please say "aye." Contrary? The vote is unanimous. Thank you very much, Dallas.

REMARKS OF THE PRESIDENT

PRESIDENT BOND: Now, I would like to mention at this time that we are trying something that is new in connection with our Association meeting. We have invited the Presidents of the Bar Associations of our neighboring states, Missouri, Nebraska, Colorado, and Oklahoma, and they have all accepted or committed themselves to attend our meeting; however, I had a wire from Jim Peterson of Colorado saying that because of events that have happened it would be impossible for him to be here; but the other Presidents are here and you will probably come in contact with them and I hope you will show them a good time and show that we appreciate their presence. I have attended three out-of-state conventions and had a very enjoyable time.

We are going to have a very fine speaker at our banquet tonight, Jerry Giesler, and you all know his reputation as a lawyer; and I want to especially urge you all to attend that banquet. I think the message you will get will be well worth your while to attend. I know him personally, and he is a very fine gentleman and a fine lawyer and he will relate some of his experiences. If you gentlemen haven't already gotten your tickets, I would like you to do so.

Now, the next thing on the program is the President's address, and here it is, gentlemen.

Now, I would like to give this address, but we have so many important Committee reports that we—I don't believe we can get through this morning, and I am just going to briefly summarize some of the things I have said in this report; and I have asked my friend, Frank Corrick, to publish the report in the Journal and I hope some of you will read what I had to say because I really spent some time preparing it and there might be some things in there that you might be interested in. I don't want to impose on your time to take the time to give this address. I do want to say a few things, however, that might be of interest to you about the Bar Association. The Bar By-Laws provide that the President shall at the Annual Meeting give an appropriate address, which leaves the President considerable room as to subject matter. I think, however, I have a feeling that the President of your Association should say something about the work of the Association and give you some idea of what has been done in the past year in order that you may know that we have earned our salaries. (Laughter)

We have a very capable Executive Secretary and I know that many lawyers in the state have availed themselves of his services and the services that are available to all the lawyers at the Executive Office in Topeka. Until the dues were raised and we were able to have some money in order to accomplish things, it was difficult for your Officers and Council to accomplish much for the lawyers and some of the members of the Council, when the matter was presented first, were of the opinion that if the dues were substantially raised that we would lose a large part of our membership; but on the contrary, this year's membership is going to be larger than it has ever been in the history of the

Association and I believe nearly all of you will agree that the Association has accomplished something that is worthwhile and will be of practical benefit to the lawyers.

Beryl Johnson, while President last year, initiated the plan of holding a mid-year meeting of all the Committees and Chairmen and meeting with the Executive Council. We followed that plan this year and it was gratifying to see the response that the Committee members made to that in attending that meeting, I feel that the Committees have worked better this year and last year than I have ever known them to work in the history of the Association; and I have been attending meetings for so many years that I would be afraid to tell you how many.

Now, we have one of the best Bar Journals that is published by any Bar Association in the United States. Now, that is a recognized fact; and there are many things in that Bar Journal of interest.

The Title Standards Committee has worked hard and have gotten out a pamphlet on title standards and requirements which has made it more uniform. This is recommended among the lawyers of the state. Now, they are revising and bringing that up to date, and before long you will have a new titles standard book. That was done without extra expense and without any charge to the members of this Association.

We had a Traffic Court Conference in Lawrence that was well attended by Traffic Judges and Traffic Officers. We feel that much good was accomplished by that Traffic Court Conference. Its attendance was excellent. Chief Justice Harvey sent out a letter to all District Judges urging them to attend the conference striving to bring about uniformity in the enforcement of traffic laws, and it was remarkable how many of the Traffic Judges attended that conference. The Governor was kind enough to come down and take part. Chief Justice Harvey made a speech at the opening of that conference. This was all done by the Bar Association with the assistance of the University of Kansas Extension Division and Dean Moreau, of the Law School.

Now, I could go on and enumerate a lot of other things that have been accomplished. I am particularly grateful to the members of the Kansas Bar who have been so kind and cooperative. I have had letters and messages from lawyers and they have all expressed—in many instances—have expressed appreciation at the way the affairs of the Association have been conducted; but, of course, the President can do nothing to make this Association worthwhile if he doesn't have the support of the various Committees and the Committee Chairmen and the Officers and members of the Executive Council.

Now, the members of the Executive Council have attended the meeings regularly at considerable expense; and I don't know how many of you know this, but we are allowed to charge our expenses for attending our meetings but none of the members of the Council ever do. For Don Lang, living out at Scott City—as most of the meetings are held up here in the eastern part of the state or in the central part of the state—it means a real sacrifice in time and money to attend these meetings; and as President of this, your Council, I greatly appreciate the attendance at the meetings. They are working for you fellows and the members of the Bar.

Now, I have said a few of the things I wanted to say to you, and I am not going to take any more time in regard to the President's address; but I said a few things in there

that were close to my heart that have nothing to do with the Bar Association of Kansas but it does have something to do with the lawyers; and if any of you will lend a sympathetic ear to what I might have said in that, I would appreciate it.

ADDRESS OF THE PRESIDENT

PRESIDENT BOND: The By-laws of our Association provide that the president shall give an appropriate address at the annual meeting. This language gives much leeway in the choice of subject matter. Thought has been given to this duty and a conclusion has been reached that the most appropriate subject would be the work of the Association for the period during which your President has had the honor and privilege of serving you.

I have been attending the meetings of the Association regularly since engaging in the practice of law, and if you were told the number of years that have elapsed it might be suggested that I have passed the age of retirement. The Bar Association has always seemed very important to the lawyers and all will agree that much has been accomplished through our efforts for the welfare of the profession and of the people of our state.

We know that members of any group sometimes ask what the Association has done for its members, and they have the right to ask this question. During the past year much has been accomplished and a brief summary might be of interest. Until the dues were increased and funds were made available, it was difficult to plan and carry out a constructive program of substantial benefit to the members. Some believed that we would lose many members when the dues were increased but on the contrary the membership has steadily increased and our present membership is the largest in our history.

The committees have worked diligently, and the attendance at the mid-year meeting in Wichita last October was very gratifying to the officers. Beryl Johnson is entitled to credit for that program, which has proven so successful in keeping the committees active. Credit must be given to all the committees but the Public Relations Committee, under the able leadership of Judge Clark A. Wallace, has accomplished much and I believe we have all come to realize and appreciate the good they have done in the face of some opposition but all new programs must prove themselves.

The Title Standards Committee has worked hard and the results of their work has met with universal approval, and they are making some additions to their recommendations.

This year we have had a committee to meet with a like committee from the trust companies and their work will prove valuable to the lawyers. The same can be said of the new committee to meet with a committee from the realtors group. The committee of this association to work with the committee from accountants' group has accomplished results of worthwhile importance. Much unauthorized practice of the law has been eliminated by the work of these committees and we have had fine cooperation from the other groups. I would like to point out the good work done by all the committees, and it is hoped you will hear some of the reports and read of the work done when printed in the

Journal. Many of you will be called upon to serve on committees, and we all know the response will be pleasing and encouraging.

A number of new local bar associations have been organized during the year, which indicates the lawyers are awakening to the importance of organization. Every lawyer in the State of Kansas should belong to the local, state and national association of the bar. All the associations are doing fine work through voluntary efforts of officers and members who respond unselfishly when called upon for help. No one could estimate the good that could be accomplished by the associations if all the lawyers supported them as they should. We all know the value of organization.

Many letters have come to the office of the association from lawyers over the state concerning matters of interest, and they are always answered promptly. Suggestions are sometimes offered, and they are very much appreciated.

The Traffic Court Conference, just finished at Lawrence, was well attended and much good came from it. Dean Moreau, of the Law School of the University of Kansas, and Judge Harvey, and many others, are entitled to credit for this worthwhile program.

The officers of the executive council of your bar association are giving their best efforts in your behalf. It is hoped you appreciate how much in time and money it costs them. They give the same freely because they are lawyers and appreciate the opportunity to serve their profession and they are proud of the privilege of practicing law.

John Shuart, our Executive Secretary, and Franklin Corrick, Editor of the Bar Journal, are entitled to special mention for they have both done very excellent work. John is always on the job and attends to his work promptly and efficiently and many fine compliments have been paid him by the lawyers. Our Bar Journal is actually one of the best in the country and too much credit can not be given Franklin for his tireless efforts and fine ability. He has the faculty to say and do the right thing at the right time. They both justly deserve the sincere remarks made of them.

It seemed proper to discuss some subject other than the work of the bar association, and the news articles concerning hydrogen and atomic warfare have disturbed the people of the world and something might be said that is pertinent to this fear.

The history of our government from the lowliest unit to the highest speaks well for our profession and no other group can equal our record. The people in every station in life in our country look to lawyers for help and inspiration in governmental affairs. Much has been written of the great lawyers who have played a prominent part in building this great country of ours and with the atom and hydrogen weapons, Communism, and other great dangers, facing civilization at this very moment, the lawyers will continue to play a great part in trying to save the world.

If it were possible to duplicate the town meetings of our early history on a world scale, possibly the great and immediate dangers might be eliminated and all the people of the earth could be brought together in peace and harmony. If the money that has been spent, within the time which we all can well-remember, could have been used for the improvement of general welfare of all the people what a world this would be today. That does not take into consideration the enormous destruction of property and most im-

portant of all the loss of lives of many of the finest of our young men, who would have contributed much had they lived and had opportunity. Common sense and logical thinking make senseless and terrible wars seem so unnecessary and wasteful of life and property.

The greatest problem of the world today is to discover a method of eliminating wars, and the lawyers can contribute much to solving the problem that must be solved, and soon, if the world is to survive. Lawyers can do much to mold public opinion and to plan action. The United States leads the world today and it seems our duty to bend every effort to end wars. The young men facing each other across the battle fields have no personal fight with each other and would undoubtedly be great friends if they could meet under normal conditions. Neither did they have much to say about the reason for their fight with lethal weapons. They would prefer a contest in games of sport, and their families and friends, at home praying to God for their safe return, would prefer the friendly rivalry.

Since nearly one hundred percent of the people are against war, there must be a solution of the problem of eliminating it. The great mass of people behind the iron curtain and the millions in China, India and other places on this earth, do not want to leave their homes and families for war, from which they may never return. Mother love, family ties and love of life are about the same everywhere on the face of the globe. This problem that threatens the world and the very existence of all the people in it can be removed by logical discussion among leaders who speak for and have the viewpoint of the great mass of the people of the world. In meetings on the top diplomatic level the talk is not on a common-sense, logical basis such as is used among folks like us, discussing the problem over the back yard fence, or in our homes. The great leaders and diplomats, who discuss the problems of their people, should spend less time talking riddles and talk about the problems of the masses, including the mothers and sons whose very lives are so vitally affected by war. It would not be beneath the dignity of our secretary of state, for example, to say that the folks back home are against war and so are your people. Therefore, why should we not eliminate it. Some grass root diplomacy might help.

If all the mothers of the world could meet in one big gathering, they could devise a plan to effectually eliminate war forever, but they do not have the opportunity to try. I am not a pacifist and strongly believe we must prepare for our defense but I challenge you to find one person in your community that will speak in favor of the terrible scourge of war. If practically everyone in the world is against war, certainly some solution can be found to the problem. The lawyers are the group to take a lead in finding the solution and if each individual member of the bar will give time and thought to it and discuss the question with his friends and neighbors maybe eventually the discussion will enlarge as the wave caused by throwing a small pebble in a body of water grows and grows. Much of what I have said is trite and has been better told by others, but its great importance justifies repetition here and everywhere on many occasions. This is a subject close to the heart of everyone and if it were discussed often among the people the leaders everywhere will come to the realization that a solution must be found. Lawyers are influential in molding public opinion, from which action is produced, and for that reason this subject has been chosen.

Well, I have said what I felt impelled to say on the subject of war and have made some simple suggestions to the lawyers that may seem impractical and even impossible but, if every group would give consideration to the problem and talk about it, possibly public opinion might be formed that would bring about unbelievable results. Sometimes difficult and complicated problems can be solved by simple means.

In conclusion, I express to the members of this Association my appreciation of the honor of serving you. I am particularly appreciative of the fine support given me by the members of the executive council, members of the committees of the association, the executive secretary and the editor of our Bar Journal, all of whom have served well and faithfully, and without whose help little could have been accomplished. It was not easy to follow Beryl Johnson as president because he worked hard at the job and accomplished much. Your incoming president, Claude Depew, is a fine lawyer and a gentleman and has a great appreciation for the profession and I know you will all cooperate with him and that the affairs of the association will be well-guided under his capable leadership. I have tried during my term to deserve the confidence you have shown in me and I pledge my continued efforts on behalf of the association and the lawyers of Kansas.

Now, we will come down to the important business. I don't mean that these two addresses were unimportant, but we come down to the reports of the Executive Secretary, the Editor-in-Chief and the Committees, and that is what many of you want to hear about.

Now, the first thing is the report of the Executive Secretary with the recommendations of the Executive Council. As I have said, we have a very efficient and hard-working Secretary and I want to present to you John W. Shuart, our Executive Secretary.

MR. JOHN W. SHUART, of Topeka: Thank you. I am glad these "preliminaries" are over with.

REPORT OF EXECUTIVE SECRETARY

MR. JOHN W. SHUART, of Topeka: This past year marked continued expansion in the activities of the headquarters office in planning and implementing the public relations program and the programs of the other association committees under the guidance and supervision of the officers and the Executive Council. In the reports of the eleven standing committees and the thirteen special committees of the association to follow, you will learn in detail of the activities of each during the year. I think you will conclude that this has been a busy year.

The oldest Annual Proceedings I have filed in the office are the Proceedings dated November 1921. At that time there were 600 members of our association and it was the estimate of B. S. Gaitskill, who was then president, that there were 2,500 members of the Bar in the state. Around 25%, then, were members of the Association. The best estimate is that there are 2,250 lawyers now. It might be interesting to note here that of those men listed as members a third of a century ago, 89 are still members today. It is also interesting to note, and I draw no conclusion from this fact, that in 1921 there was not a single Anderson who was a member of the Association where today there are 16.

Our membership has steadily increased over the years and where in 1952 we had 1,394 paid members, in 1953 we had 1,512, or an increase of 118 members. This year we enter the convention with 1,191 memberships already renewed for 1954. As our association grows so will the services it renders to its members, and more important, to the public. You all know an attorney in your city who should be a member, who should give his support and receive the benefits of membership. Why don't you invite him to join?

On April 24, 1953, at our last annual meeting, I reported that the balance in the Association's treasury was $22,597.99. Today that balance is $23,221.07. Total receipts during the year were $32,890.74 and disbursements totaled $32,367.66. We operated in the black even though there was distributed to each member of the association without charge, a copy of our very valuable Title Standards—an item that was not originally budgeted. As provided in the By-Laws, an audit was made on May 1st last year by the firm of Garrison and Gresser, certified public accountants. A detailed financial report is attached hereto and becomes a part hereof and was approved at the Executive Council meeting yesterday.

I have just mentioned the Title Standards book distributed to the members last fall. Many favorable comments were directed to our association office regarding the book, indicating that the members appreciate these aids to their practice. This year it is planned to distribute an Index to the *Journal* and I believe the Editor will have more to say in regard to this.

President Bond, the officers and the Executive Council have given many hours of work to the association and have met together several times during the year. The Executive Council first met shortly after the annual meeting on May 23 in Salina to name committee chairmen and committee members. This permitted the committee chairmen to organize their committee's work before the summer months. The Executive Council's next meeting was October 22 in Wichita in connection with the Mid-Year meeting of the association. On January 23, President Bond was host to the Executive Council meeting in El Dorado and they met yesterday here in Topeka. Their next meeting will be in Hutchinson May 29 and will be a joint meeting with all committee chairmen.

As executive secretary I am very much like the airline pilot of today. I must operate along the path set out by the directing officers and company but I am charged with using initiative in piloting the equipment to the prescribed goal. In this position alternative routes may be seen ahead and certain recommendations may be made concerning the operating performance of the equipment used. Two areas of exploration might here be mentioned.

Not many of our lawyers have been management conscious. More attention should be given to the problem of lawyer-economics and the economic problems of the entire Bar. One bar association has even recommended the hiring by the state association of a specialist in law office management whose duty it shall be to counsel their lawyers and to conduct studies on law office operation in the state. We might here consider the holding of Legal Institutes on the subject.

Our public relations activities have been increasingly successful during the past year

but much more participation is needed on the part of our membership over the state. For example: Wherever School Programs have been set up we have received much favorable publicity and the education imparted will germinate and create a broader understanding and employment of attorney's services. But where a few counties have set up this program, we should have all of the 105 counties participating. The other 5 points in our Public Relations program are equally worth emphasis and greater individual lawyer participation.

Our association office desires to be of the utmost assistance in correlating the activities of the several committees of the association. We can not substitute those recommendations which must evolve from sound committee discussion but we can be of help in preparing for these discussions.

This past year it has been my pleasure to attend many meetings of the local associations over the state and I can truthfully say that at each I have learned to appreciate a little more the fine caliber of men who make up the Bar in Kansas. They are interested in our association and in its activities, but are so busy representing their clients that they can't give the time to association work that they would like to give. But it is not fair that only a few men do the work which will benefit the profession as a whole. Take time to help your profession and you will be taking time to help yourself. There is, in the program outlined by the Public Relations committee alone, place for the efforts of each member of our association. Give a hand and you'll be glad you did. Other committees such as the Prospective Legislation Committee need the active support of the entire Bar.

I have enjoyed my work the past year and I believe we will again accomplish much in the year ahead of us. (Applause)

ANNUAL FINANCIAL STATEMENT

April 23, 1953 to April 13, 1954

Balance at April 23, 1953			$ 22,597.99
RECEIPTS			
1953 Dues	$ 6,720.00		
1954 Dues	21,716.50	$ 28,436.50	
1953 Annual Meeting: Registration, Banquet		1,280.08	
Fire Association of Philadelphia—Sec'y Salary		888.60	
Miscellaneous Income		237.85	
Interest Earned		243.21	
JOURNAL			
Advertising	$ 1,276.00		
Subscriptions and Extra Copies Sold	528.50	1,804.50	$ 32,890.74
			$ 55,488.73

DISBURSEMENTS

1953 Annual Meeting Expenses	$ 760.80	
1954 Annual Meeting Expenses	1,327.63	
Capper Printing Co.—JOURNALS (Feb., May, Aug., Nov., Feb.)	6,837.85	
Executive Council Expenses	245.04	
Rent	900.00	
Telephone	264.13	
Salaries—After W.T. and F.I.C.A.	8,874.24	
Director of Internal Revenue	1,200.07	
Public Relations Committee	3,051.36	
Travel Expense—Executive Secretary	2,442.27	
Stationery, Postage, and Supplies	2,169.59	
Duplicate Dues Payments, refunds	84.00	
Travel ABA Meeting (President and Delegate)	671.73	
Miscellaneous Expense	589.15	
Committee Expenses	642.32	
Office Equipment	289.15	
Title Standard Books	1,808.92	
Personal Property Taxes	34.41	
Audit—Garrison & Gresser	75.00	$ 32,267.66
Balance on Hand, April 13, 1954		$ 23,221.07
Resources, April 13, 1954, consisting of:		
Capitol Federal, Savings Account	$ 5,151.13	
Topeka Savings, Savings Account	5,000.00	
Merchants National, Savings Account	5,092.08	
Merchants National, Special Account	5,000.00	
Merchants National, Checking Account	2,977.86	
		$ 23,221.07

PRESIDENT BOND: Thank you, John. You know that report of the Secretary-Treasurer reminds me of just a few short years ago when I was on the Council. We had to solicit some of the members of this Association to pay their dues in advance in order that we might meet our obligations. It isn't necessary under the new setup. We are able to pay our bills when they come due and we always keep a nice balance in the treasury, which is always a healthy condition for a Bar Association.

I am glad to see so many former Presidents of our Association come in. There is sort of an understanding among the Officers that we will support ourselves and Judge Dawson, who was President of the Association many years ago, just came in.

Now, the next report is on our Bar Journal, and I have already commented on that; but we really have a fine Editor in Franklin Corrick. Frank, do you have something to say? (Applause)

REPORT OF EDITOR OF THE BAR JOURNAL

MR. FRANKLIN CORRICK, of Topeka: Thank you, Mr. President. I have prepared a report, but I shall not read the report. It would exceed my five minutes' time under the Convention Rules. You know, ordinarily we don't adopt those rules until after the Editor has made his report. So I shall summarize my report with leave that the entire report be printed in the Bar Journal; and I think I can run through it in three or four minutes, speaking extemporaneously.

Last year, due to change of Annual Meeting date from May to April, we mentioned the possibility of including the report of the Annual Meeting proceedings in the May issue of the Journal. This was not done for the following reasons: *first,* our Bylaws seem to imply that the report is to be printed in the August issue; *second,* since the report must be prepared in part from notes taken by the reporter, it might have unduly delayed the publication of the May issue; and *third,* because there is no assurance that the Annual Meeting will always be held in April and it seems advisable to keep the August Journal as a "proceedings" issue.

Consequently, the May issue was used primarily for the printing of the annual legal institute or sectional discussions which were available in written form or which were written up shortly after the Annual Meeting adjourned on April 25, 1953. Since this meeting is a week earlier than the last one, it is hoped such papers can be printed in this year's May Journal.

Now, as to the August, 1953, issue of the Journal which contains the report of last year's proceedings, an attempt was made to have it ready for mailing on or before August 1. However, the issue could not be delivered quite that soon. This was not due to any lack of willingness on our part. In fact, we would like to get it out of the way berfore August, since that month is usually a good time to take a vacation in Kansas. The delay, if it may be correctly called one, is because Section I of our Bylaws states that the roll of active members is to be made up as of August 1 of each year and printed in the August issue of the Journal. In other words, it is the method prescribed by the Bylaws for determining who are paid-up members and, consequently, entitled to receive the August and subsequent issues of the Journal.

There are many other matters which concerned the Journal during the year which could be reported on at considerable length. For example, the untimely passing of our insuperable first Editor, Mr. W. E. (Gene) Stanley, on September 26, 1953. Gene's advice and counsel, seasoned by his six years as our first Editor-in-Chief, was valuable indeed. Another example was the question of printing voluminous articles on the proposed new Uniform Commercial Code. Also, there was the proposed federal treaty powers amendment, which has been the subject of so much controversy since the last Annual Meeting of this Association.

Much could be said on these and other subjects, especially as to how much space we should use and stay within our printing budget. This was especially true as to the Uniform Commercial Code, since we only printed one review of a small portion of the proposed sales article of the voluminous commercial code now ready for adoption by

various state legislatures. Even this article covered 13 pages of the Journal! I have mentioned the federal treaty powers controversy, concerning which there have been printed various pro and con articles, particularly in the American Bar Association Journal. This is the subject, quite erroneously, I think, commonly referred to as the "Bricker Amendment," but I shan't go into that. It may be of interest, however, to note that, during the last 12 months, both the American and Kansas Bar Journals have given, proportionately, about equal space to both sides of this controversy concerning treaties and other international agreements.

That is about the size of my report on the questions that came up except, as Mr. Shuart just mentioned, your Editor is preparing a complete index to all of the first 22 volumes of the Bar Journal.

This index problem has been mentioned many times and reported upon at previous meetings. Your Editor reports progress on a Cumulative Index to the various volumes of the Journal. The feasibility of the preparation and publication of a complete index in one place has been rather fully discussed during the last six or seven years. I think, in 1949 at a meeting right here in Topeka, the idea was approved by the Association with the understanding that we would have to work out some plan because at that time we didn't have the finances to handle the project from the Association's funds and we were trying to get it out on a self-liquidating basis and we were within 125 written "promises to purchase" at that time to so finance it. In other words, about 375 Kansas lawyers were willing to pay extra for some kind of index (see August, 1950, Bar Journal Report, p. 59).

Various index plans were discussed three different times at meetings of your Executive Council during the last eleven months. Recently a fresh approach to this question was made by your Editor, and at its January 23, 1954, meeting in El Dorado, the Executive Council approved it. The new plan provides for a subject index to Volume I through XXII, to be printed in some issue of the Journal. This means there will be no extra charge against members of the Association unless one should purchase an extra copy. It also means we can use our regular second class Journal postage rates at considerable savings in mailing costs.

In conclusion, I certainly wish to thank the various members of the Association on behalf of the Journal for the continued support of the various activities of the Association and especially to those of you who have sent in your own material or who have been instrumental in having other members of the Association send in material for publication in the Bar Journal. Thank you very much. (Applause)

PRESIDENT BOND: Thank you, Mr. Corrick. Now, in the many years that I have been attending the meetings of the American Bar, I have observed that my friend, Judge Somers from Newton, seems to be the earliest riser among the group. I remember that I came down a little early this morning because there were some things I wanted to get done and there he was. I was talking with him and in about fifteen minutes I noticed about a dozen of our District Judges parade through the lobby, and I said, "What makes these District Judges get up so early?"; and Glenn said, "Oh, no. They are just coming in." (Laughter)

He ought to know because he has been a Judge, but I am glad to see so many of the District Judges here.

The next Committee report is the report of the Citizenship Committee by Everett E. Steerman.

CITIZENSHIP

MR. EVERETT E. STEERMAN, of Emporia: Mr. President, Fellow Members of the Association: Your Committee on Citizenship desires to make the following report. It will be short and is as follows:

Pursuant to the suggestions contained in the last report of this Committee, the committee contacted certain of the school officials both on the elementary and high school level, as to the feasibility of organizing for presentation a program on Citizenship Day, which is the 17th day of September. Due to the fact that in most instances the school year commences early in September, it was not practical to attempt to have a program on the 17th. All of the school officials contacted were interested in any program which this Association or the members of the bar might desire to bring to the schools if a time could be determined upon and proper arrangements could be made. Your committee has been advised that some schools in the state did have a restricted program recognizing Citizenship Day.

This Association, through this Committee, should outline a program to be used in schools and to be sponsored by the lawyers of the respective county or local Bar Associations in those instances where such associations are in existence. Any such program should include appropriate opening exercise, a pledge of allegiance to the American Flag, patriotic music, a patriotic film—which can be had from many sources for the asking—and possibly a short speech on the duties and responsibilities of a citizen.

Recently, the Chairman of this committee had the opportunity of seeing and listening to a program prepared and presented by a group of citizens of Wichita, Kansas, depicting one hundred years of Kansas in narration and song, and entitled "Spirit of Kansas," being produced and directed by Lester Weatherwax and Jack Laffer. It was most impressive and something that could be reproduced on sound film and made available for presentation in the schools of this state.

Another program that could be sponsored by this Association through this Committee is that of recognition of young men and women in all of the counties of the state upon their attaining voting age. Such programs are not new and have been presented in a number of the counties of this state sponsored by various organizations, including local Bar Associations, and encouragement should be given so that each young man and young woman attaining his or her voting age would have an opportunity to attend one of these programs, at which time emphasis could be placed upon the duties and responsibilities of a citizen, particularly as a voter.

A third program that could be sponsored by this Association is that of an appropriate proceeding in the State and Federal Courts at the time of the naturalization of those who have moved to this country and become a part of our citizenry. The Wichita Bar Asso-

ciation has sponsored such a program during the past two years, having the sanction and approval of the Judges of the Federal District Court, and acclaimed as something worthwhile and outstanding by all of those in attendance.

In order to establish a worthwhile program emphasizing citizenship it is necessary that each and every member of the Bar give full cooperation and bring to the attention of this committee any suggestions and material which they may have which could be made a part of any such program and give of their time and talents to see that any such program is presented with the dignity that should be present on any such occasion.

To supplement material that may be suggested or available, it would be well if this Association could become a member of the National Conference on Citizenship. This organization has been in existence for more than eight years and has an annual meeting in Washington, D. C., in the month of September of each year. This National Conference brings together men, women and youth from hundreds of public and private organizations and agencies from all sections of the United States and represents every wholesome aspect of our life and reaches almost the entire population of the nation. The Chairman of this Committee and possibly other members should be encouraged to attend this National Conference to supplement material for programs.

To the end that a worthwhile and outstanding program on citizenship might be established by this Association, your Committee asks that the above and foregoing matters be approved, which approval should include the budgeting of a reasonable sum of money to pay any necessary expense in attaining the desired result.

Respectfully submitted,

LEON N. ROULIER	MAX WYMAN
WILLIAM ROY KIRBY	WILLIAM WAGNER, JR.
E. KEITH BEARD	ERNEST YARNEVICH
ROBERT STONE JOHNSON	ROBERT M. BOND
JOHN H. LEHMAN	GEORGE B. POWERS, *Ex-Officio*
FERD E. EVANS, JR.	EVERETT E. STEERMAN, *Chairman.*

I move the adoption of this report.

PRESIDENT BOND: Do I hear a second to the motion?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: It has been moved and seconded that the report of this Committee be accepted as read. Any discussion? All in favor signify by saying "aye." Contrary? The motion is carried. Thank you very much, Mr. Steerman. (Applause)

PRESIDENT BOND: Of course, considering the state of the world, that Committee is quite an important Committee as we all know.

The next Committee is the Court Procedure Committee, and Tom Lillard of Topeka is Chairman of it. I want to say to you lawyers that I happen to know this Committee has worked long and hard on that problem and I don't know what Tom has to report, but I want you to appreciate that this Committee has really worked. It hasn't been any easy job that they have undertaken, and it is going to take a long time to complete the job.

COURT PROCEDURE

MR. THOMAS M. LILLARD, of Topeka: Mr. President and Members of the Association: I am very proud and pleased to have had the privilege of working with and being Chairman of this Committee, and I want to read you their names because I think you will recognize the fact that they are lawyers of ability and character. First is Honorable William C. Kandt, District Judge at Wichita; D. C. Martindell of Hutchinson; Willard L. Phillips of Kansas City; LaRue Royce of Salina; James E. Taylor of Sharon Springs; Leonard O. Thomas of Kansas City, Kansas.

The problem of court procedure is a problem that should be treated by the lawyers as a major problem. Our work, so far as the public views it, is in court. That is where we are seen in action, and the results obtained there are either good or bad. It is more or less the basis of the judgment registered in the minds of the public as to the merits or defects in the legal profession.

Now, there are several different views as to what should be done about court procedure. One extreme is that we have been going along all right with the rules and procedure we have, and why make any change. At the other extreme is a group who says, "Oh, let's take the Federal rules and adopt the Federal rules and put an end to any discussion about what changes should be made." In the medium between these two extremes there is the vast body of the Bar who recognize the fact that improvement could be made. We don't like all the Federal rules. Some of them may be good and some of them may be bad, but we do recognize that some improvement should be worked out.

Now, our Committee met in that middle state of mind and we had a very interesting discussion. The meeting was held in the Hotel Lassen at Wichita on October 23, 1953. All members of the committee were in attendance with the exception of Mr. W. F. Lilleston, who was unable to attend because he was absent from the state. The following quoted report and recommendations was signed by all members of the committee present at that meeting:

"There was a general discussion in which all members of the committee participated. Each member present expressed the opinion that some one or more changes should be made in the rules of civil procedure now in effect in Kansas. There was a difference of opinion as to what particular changes should be made, but practically there was general agreement that our code of procedure contains a number of antiquated or weak spots and that a general study and revision which would locate these weak spots and provide for their improvement was advisable.

"The chairman of the committee reported introduction by last year's committee at the 1953 session of the legislature of House Bill 306, a summary of the bill with action taken by the legislature is attached.

"Following the general discussion, a vote was taken in the alternative as to which of two recommendations should be made by the committee to the State Bar Association for consideration at its next annual meeting in the Spring of 1954. The alternative questions so voted upon being:

"(1) Shall the committee recommend a general bill vesting in the supreme court authority to promulgate, with the aid of a commission to be appointed by the court, a revised code of civil procedure for Kansas; or

"(2) Shall the committee recommend to the State Bar Association at its next regular meeting specific changes in practice or procedure, instead of a general revision of the code of civil procedure?

"A vote being taken on the alternative propositions, Proposition No. 1 was carried unanimously.

"It is therefore the recommendation of the Committee that the Bar Association of the State of Kansas approve of and endeavor to obtain the passage of a general bill vesting in the supreme court authority to promulgate, with the aid of a commission to be appointed by the court, a revised code of civil procedure for Kansas."

I will just comment briefly before reading the summary of that bill. Under the present practice, all of you who are familiar with the legislative work; and, of course, we all know that there is no systematic method of revision of the court procedure. Several hundred bills go in the hopper of the two houses of legislature. If a certain bill is introduced to change some minute provision of the court procedure that has enough punch behind it and enough vote getting ability to the fellow that is pushing it, it might get through. The probabilities are that it won't. The bills that are inroduced die a considerably more than 50 per cent, so there is no real method, now, of improving court procedure. We have to depend on the legislature, and as a practical proposition, legislative changes and improvement in court procedure are not very dependable.

Now, this bill that was introduced at the last session by our Committee was worked over and revised by members of the two houses, particularly the Senate, and I want to say that Judge Thiele of the Supreme Court took a great interest in the bill and was very helpful in working it out. Unfortunately, it failed in the last hours of the legislature, but we hope that something of this kind can be successfully carried through the legislature the next session.

Here is a summary of the bill and action thereon by the 1953 Kansas Legislature:

The bill, which was 1953 House Bill No. 306, was entitled:

"An Act relating to practice and procedure in civil actions in the district courts, and providing for the prescribing by the supreme court of rules governing the same."

This bill promptly passed the House with no opposition. After reaching the Senate it was extensively amended by the Senate Committee. As so amended, it authorized the supreme court to appoint a commission of three members who would be authorized "to study, revise and re-write the Kansas code of civil procedure," together with such changes in the Kansas code of civil procedure before justices as may be required by revision of the district court code. Each member of the commission was to receive a salary of $1,000 per annum, and the commission was authorized to employ stenographic, clerical and technical help for a general revision of the code. Preliminary report of the commission was to be filed with the supreme court, with the commission's recommendations, not less than 90 days prior to the opening of the 1955 regular session of the legislature. The prelim-

inary report so submitted, together with recommendations made by the supreme court after consideration of the commission report, was to be filed with the judiciary committees of the senate and house of the 1955 session of the legislature.

In the interim following the adjournment of the 1955 session of the legislature, the commission was to give further study to the proposed revision, including any recommendations made by the legislature. Final report of the commission, together with recommendations of the supreme court, were to be reported by the court to the legislature at the opening of its regular session in the calendar year 1957.

If an act adopting recommendations made by the commission and the court or any modification thereof was enacted by the 1957 legislature, such act was to be published in the official statute book of 1957, to be effective three months following the date of such publication.

House Bill 306, as so amended by the senate judiciary committee since it contained an appropriation item, was referred to the senate ways and means committee. It met with opposition in that committee and never again reached the floor of the senate.

The bill, as amended in the senate, called for an appropriation of $20,000 for the biennial period June, 1953, to January 11, 1955, to cover revision expense.

Now, you will note that that called for a two to four year study of progress. At the end of four years, there would be submitted to the Supreme Court a progress report. Then, a study of the progress report of the Supreme Court, in body with the Committee's report, or Commission's report, would be submitted to the legislature with a combined recommendation of the Court and the Commission to be followed by Legislative Committee recommendations as to what changes they think should be made; and then there would be the matter of further study for two years and then it would come up for final adoption at the next biennial session.

Now, that is in brief the work of the Committee and the recommendations of the Committee and the kind of plan that could be followed. Our procedure does need improvement and some method of getting about that avoids the two extremes of the fellow that says, "Oh, let it alone. We have used it for a long while"; and the other man that says, "Let's grab the Federal rules and quit there."

We gave this matter a lot of study, care and attention through a method that your Committee thinks is correct; and I move the adoption of the recommendation of the Committee.

PRESIDENT BOND: Do I hear a second to that motion?

MR. DOUGLAS HUDSON, of Fort Scott: What is the recommendation of the Committee?

MR. LILLARD: It is, therefore, the recommendation of the Committee that the Bar Association of the State of Kansas approve of and endeavor to obtain the passage of a general bill vesting in the Supreme Court authority to promulgate, with the aid of a Commission to be appointed by the Court, a revised code of civil procedure for Kansas.

MR. HUDSON: I will second the motion.

PRESIDENT BOND: Thank you, Doug. Is there any discussion?

MR. HUDSON: I do want to speak on this question. I have always hoped for some revised rules of procedure in the State of Kansas and I am one of those who is always thinking, of course, of the Bar and the other fellow; and it is ridiculous in my mind that we adhere to our present rules of civil procedure; and I think that at this meeting if we are in favor of revision of the rules we ought to speak with such a voice that the members of the legislature feel that we are sincere about it.

Now, we recently had a case—it was on the second trip to the Supreme Court upon the pleadings—and it had been pending about four years and it made its second trip up on the pleadings, and you have frequently observed and so have I that the Supreme Court is obliged to pass upon a demurrer to the petition and they will write a solemn, learned opinion concerning the pleadings as they then exist and if these come back after it is tried you can hardly appreciate that it is the same case because the proof and the pleadings are so remotely connected with each other; and it isn't because our State Judges are in any wise inferior to our Federal Judges in learning or judicial ability, but every case which the lawyers can possibly get into Federal Court they take there or to Missouri because of your rules of discovery and your depositions and your opportunity under the rules in Missouri. Oklahoma has recently adopted almost the equivalent of the Federal rules of procedure, and I say that we ought to thoroughly appreciate the situation and we ought to speak with some conviction as to our desire in this concern.

I remember when I was in the '23 session of the House and Tom Lillard was Chairman of a Bar Association Committee on some different mode of electing our Judges. I guess it was a non-partisan thing which the Bar scheduled and Tom sold me on the idea, and so I was up making a speech about it and some member of the Supreme Court had tipped off a farmer from way out in Western Kansas and so he gets up and says, "Will the gentleman yield to a question?" I said, "Yes"; and he said, "What is wrong with Judge Johnson?"; and I said, "There is nothing wrong with Judge Johnson."; and he said, "What is wrong with Judge Burch?"; and I said, "There is nothing wrong with Judge Burch." He said, "What is wrong with Judge Mason?" I said, "He is a fine gentleman."; and he read the list to me and he said, "If there is nothing wrong with them, what is wrong with the system that got them there?" (Laughter)

Well, there is something wrong with our procedure—our system—by which our Supreme Court has to rule on the demurrers and motions to strike and a lot of the stuff which really in the long run doesn't have anything to do with the lawsuit; and we would be well advised if we would support this motion and get behind it 100 per cent. You know there are just a lot of the lawyers that say, "Well, it is all right. We have got along this far." I think it is the most pressing thing that we need in the Kansas practice, and I do hope that we will go out and go to the next legislature with a real determination to have something done about it. (Applause)

PRESIDENT BOND: Thank you, Doug. Any further discussion? If not, all in favor of the motion please signify by saying "aye." Contrary? (Unanimous vote)

PRESIDENT BOND: The next report of the Committees will be the Committee on Criminal law, and Abraham Weinlood is the Chairman of that Committee.

CRIMINAL LAW

MR. ABRAHAM WEINLOOD, of Hutchinson: The members of your Committee, in addition to myself, are Mr. Howard Harper, Honorable Paul H. Heinz, Mr. Richard L. Becker, Mr. Donald E. Martin, and Honorable Lewis L. McLaughlin.

Your Committee hasn't felt this past year that there were any overwhelming problems for it to consider, but always there are some matters that ought possibly to be suggested and recommended. Before reading the report of your Committee, I might say that with respect to the second recommendation, which you will find contained in it, there has been one partial dissent from a member of the Committee. It has been the feeling of some members and it has been the feeling of your Committee that somewhat a similar problem to that has been discussed in the field of criminal law. It might be well some time to devise some method for making a fairly intensive study of it for the purpose of ruling out a lot of the matters that are outmoded and clarifying a number of our statutes that have led to some confusion in the past; however, the Committee has made no particular recommendation in that regard because we haven't felt that that is something that should be another blanket revision at a time when other matters of civil procedure are more deserving or more requiring of the immediate attention. The following matters have been considered by your Committee:

I

The matter of making provision for parole officers for all district courts. Under existing statute G. S. 1949, 20-315, in counties with a population between 45,000 and 75,000, the bailiff acts as a parole officer. Under G. S. 1949, 20-614, the same is true in counties with a population of over 115,000. By Article 23 of Chapter 20, G. S. 1949, counties having three divisions of the district court, provision is made for a board of paroles; and a similar arrangement is made with respect to city courts having two or more divisions.

There are some gaps in the law with respect to parole officers, in that the district courts in smaller counties particularly do not have the benefit of parole officers. If the principle involved is important and beneficial, it is equally so for the smaller counties and this committee is of the opinion that provision should be made whereby all district courts may have the benefit of parole officers.

In connection with the matter of parole officers, the committee is also of the opinion that it would be well to establish the duties of such parole officers, both to assist in investigating the desirability of a parole in any case, and to supervise the parole when granted. It might well be that these duties could be patterned somewhat after those of parole officers of the federal courts. The committee has not felt that it should at this time make specific recommendations in this regard but that the general principle involved should be recommended as advisable.

II

There has been comment from various parts of the state raising the question whether some provision should not be made for counsel for indigent persons in the preliminary

proceedings prior to arraignment on indictment or information. At present G. S. 1949, 62-1304 provides for appointment of counsel for persons unable to provide their own counsel and who are about to be arraigned on an indictment or information; and by G. S. 1949, 20-302, the power of appointment of counsel is given to district judges. The result has been that in all the proceedings prior to the time a criminal matter reaches the district court, no provision is made for counsel for the accused. It has been indicated that persons accused of felonies and without counsel at preliminary hearing, are frequently either actually handicapped at trial in the district court or later make the contention that such handicap exists. It is the opinion of this committee that there is sufficient importance in these preliminary matters, especially in connection with preliminary hearing, that provision should be made in felony cases for the providing of counsel for indigent persons prior to the requiring of a decision as to having or not having a preliminary hearing and for such counsel to be available to such an accused when a preliminary hearing is had.

III

There have been numerous queries from about the state in connection with G. S. 1949, 8-529, the negligent homicide statute. There seems to be considerable doubt and confusion as to the meaning of the words "in negligent disregard of the safety of others." It has been pointed out that trial courts are having difficulty in instructing as to the meaning of these words and are reduced in some cases to avoidance of definition by using the words of the statute; and that to an unusual extent juries appear to be confused and uncertain about the meaning.

It is the recommendation of the committee that appropriate legislative action be advised with the idea of clarifying this statute, in the interests of both the state and those accused, and for the benefit of trial courts and juries.

IV

Your committee feels that the tremendous volume of business under the statutes covering driving while under the influence of intoxicants, in all of the courts, and difficulties of proof related to the question of such influence, make it advisable that a careful study be made into the question of tests of such condition. The problems involved are mainly of two kinds:

1. The feasibility and accuracy of such tests; and

2. Questions of incrimination by the giving of such tests, and the precautions necessary to safeguard suspected persons in this respect.

Your committee has not felt that it could make specific recommendations as to proposed legislation at this time, but does feel that this matter is of sufficient importance that a special committee to study the matter could well be appointed for the purpose of suggesting specific legislation.

Your committee therefore submits the following recommendations:

Recommendation I: We recommend encouragement of legislation providing for parole officers for all district courts.

Recommendation II: We recommend the encouragement of legislation to provide for court appointed counsel for persons accused of felonies who are unable to provide their own counsel, in connection with preliminary proceedings prior to the time the accusation reaches the district court.

Recommendation III: We recommend the encouragement of legislation by way of amendment or otherwise to clarify the negligent homicide statute, G. S. 1949, 8-529 so as to provide a practical definition of the offense intended by the legislature.

Recommendation IV: We recommend the creation of a special committee to make a careful and intensive study into the matter of tests for persons suspected of driving while under the influence of intoxicating liquor, with the aim of eventually suggesting specific legislation as to the type of tests and safeguards of guaranteed rights.

That is the entire report and I move the adoption of the report.

PRESIDENT BOND: Do I hear a second to the motion that the report be adopted?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: Any discussion? All in favor of the motion signify by saying "aye." Contrary? Thank you. (Unanimous)

PRESIDENT BOND: It is gratifying to see so many lawyers at this meeting, and I want to assure you now the meeting will adjourn in plenty of time for all of you to get to the special luncheons that you wish to attend.

There are some very important matters yet to be considered on the program this morning. The next Committee report is the report of the Historical Committee. Honorable Beryl R. Johnson is the Chairman. (Applause)

HISTORICAL COMMITTEE

HONORABLE BERYL R. JOHNSON, of Topeka: Mr. President and Members of the Association: Something has been said to the effect that if you have a recommendation and a report you ought to say something about it to the convention, so I will read this short report of the Historical Committee.

The centennial spirit is in the air. May 30, 1854, our Kansas Territory was organized. Our host City, Topeka, will celebrate its 100th anniversary next month. Several cities of Kansas have already passed that mark. Others will celebrate in the next two or three years.

Very little history has been published about Kansas lawyers. The principal reason for this is found in the fact that there is a woeful lack of recorded information about lawyers and their part in the founding and early years in the life of our great state. In more recent years this condition has been largely corrected by the completeness of news coverage by our Kansas papers. Such information, however, is scattered through hundreds of publications. It is not preserved in one central location as information concerning the Bar exclusively. We now have a State Headquarters office where such information can be filed and thus made available for future historians.

Your Historical Committee therefore makes the following recommendations:

I

That the Association give all possible aid and encouragement to newspapers desiring to publish historical matter concerning the Kansas Bar.

II

That Association members prepare historical articles for publication in the Bar Journal when convenient.

III

That the Executive-Secretary, after suggestions from the Historical Committee, send a questionnaire to each Association member so that he can furnish thereon data as to schools attended, partnerships, location of practice, public offices held, honors received, etc.; and that these questionnaires be filed in the State Headquarters office to serve as a basis for the individual history of this Association.

Respectfully submitted,

B. M. DUNHAM — CARL ACKARMAN — DOUGLAS G. HUDSON
RAYMOND F. RICE — J. C. RUPPENTHAL — W. F. LILLESTON
FAREL R. LOBAUGH — STEVE CHURCH — BERYL R. JOHNSON, *Chairman.*

Those are the recommendations, Mr. President, and the report is respectfully submitted by B. M. Dunham, Raymond F. Rice, Farel R. Lobaugh, Carl Ackarman, J. C. Ruppenthal, Steve Church, Douglas G. Hudson, W. F. Lilleston, and Beryl R. Johnson, Chairman. I move the acceptance and approval of the report, Mr. President.

PRESIDENT BOND: Thank you. Do I hear a second to the motion?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: Any discussion? If not, all in favor of the motion signify by saying "aye." Contrary? (Unanimous)

PRESIDENT BOND: I wondered why my friend Doug was so enthusiastic about that Committee, but when I read his name was on the report as a member of the Committee I can understand.

MR. DOUGLAS HUDSON: It is a very common error. It is Douglas G. Hudson on the report.

PRESIDENT BOND: I have been too accustomed to referring to you as Doug. It is a fact that Douglas G. Hudson appears on the report.

Now, I am sure that all of you were just as shocked and saddened by the news of the unexpected passing of George Siefkin as I was. One of the fine, outstanding and ethical lawyers of this state was lost to us when he passed away a short time ago. He was Chairman of the Committee on Illegal Practice of the Law and there will not be a report of

that Committee this morning, but that report, if available, will be published in the Journal. [EDITOR'S NOTE: Efforts to obtain the report met with failure.—F.C.]

We will now hear from the President of the Junior Bar. I think this is quite an important group. It represents the young lawyers of Kansas, and we are certainly glad to hear from them.

JUNIOR BAR SECTION

MR. DONALD H. SHARP, of Topeka: Thank you, Mr. President. Your Junior Bar Section has no formal report or recommendation to make, however, I do want to tell you very briefly what we did in the hopes that you approve of it and that you think we did the right things.

In the first place, the Committee consists of Judge Floyd Coffman, Robert Gilliland, John Sherman, Albert Ross, G. D. McSpadden, Jack Greene, and Bill Cole.

We deemed it proper that the Junior Bar Section could best function and serve this Association if we tried to stimulate interest in the younger members of the Bar in the Junior Bar Section, so with that in mind, for the first time we had a mid-year meeting. We held it here in Topeka in September with splendid results. With your Executive-Secretary, Mr. Shuart, we circularized every lawyer in the State of Kansas whose age was 35 or under, or three or four years over that. We circularized not only every lawyer but a number of law students whom we thought would become lawyers. We not only invited but urged them to attend the mid-year convention of the Junior Bar Section of your Association. Perhaps you will think it disappointing that we had only 80 lawyers present. We thought it was quite a good turnout. Over 50 came from outside Shawnee County. There were 80 or more lawyers throughout the State of Kansas who attended. We had a two-day meeting. Your President, Mr. Bond, was kind enough to attend. Members of the Judiciary were present. We had an opportunity to meet with a number of dignitaries of your Bar Association and our State Government. We introduced a number of the younger lawyers to those persons. We tried to stimulate interest in the Bar Association and its work. We had a splendid meeting and banquet, and on the next morning, which was a Saturday, we had a golf tournament. Saturday noon we had a business meeting. We are in hopes that we can set and build a pattern and that hereafter there will be annual meetings and that we can further stimulate interest in your Association. Thank you. (Applause)

PRESIDENT BOND: Thank you, Don. I am one of the fellows that attended the session that was a year or two past 35. (Laughter)

It was a fine session for the beginning of the activities of the Junior Bar and it is a thing that your Officers and Council are encouraging, and I know it will grow and will be worthwhile and important to the lawyers.

That brings up something. After my son, Robert, who is now in practice with me, graduated from law school we had a case in the Supreme Court in which we represented the appellee, and I thought the attorneys for the appellant were perhaps just trying to make a fee; but, anyway, we had to appear in the Supreme Court and I said to

Bob—he was just out of law school—I said, "I would like to have you go and argue the case." He demurred a little bit and I said, "I will go up with you." I told the Court that I came up there on this case but that I was not going to argue it—that there was a young man present who was going to argue it and who could perhaps present it better than I could, and the Chief Justice said, "Just a moment, Mr. Bond. I think the Court would take judicial notice of that statement." I was at first inclined to be a little upset about it, but I got to thinking about it and thought it was perhaps a pretty nice compliment.

The next report is from the Committee of Legal Aid by Mr. Steerman, and I know Everett has worked hard on this problem over the years; and you will agree that there is much need for it. He has done a god job, and I would like to have your report now, Everett.

MR. EVERETT E. STEERMAN, of Emporia: Mr. President and Members: This is a controversial matter. Back in '51 when this Committee was first organized we did considerable research on the subject and came to the meeting at Wichita with a detailed outline and program for legal aid for our Bar Association. Those of you that were there remember that we had an open session on the report of our Committee and it was finally decided that the matter should be put over for further study, and that was done, and it has been going on from year to year. I would like to make this short report. I can give it to you more quickly by reading it and I would like to have some discussion from this group as to whether we should go ahead and have this Committee report each year or whether we should get busy and do something about legal aid. There is no question but that legal aid being sponsored by the Bar organizations throughout the United States is coming into its own in a big way, and I think we, in Kansas, ought to do something about it.

LEGAL AID

Your Special Committee on Legal Aid submits the following report:

This Committee was continued upon recommendation of the former committee for the purpose of further study on this subject and to again bring it to the attention of this Association.

During this past year many legal problems have been forwarded to your committee for consideration and action by Legal Aid Committees of Bar Associations of other states and Legal Aid organizations of various kinds, including those of local bar associations in many of the larger cities throughout this country. Each of these matters has been forwarded to a member of the committee living in close proximity of the legal problem, and so far as the committee is informed, all matters have been satisfactorily handled and disposed of to the full satisfaction of the parties involved.

These increased requests for legal aid give rise to the necessity of the creation of a more adequate legal aid plan under the direction of this Association and one that will give a personnel set-up so that there will be one or more lawyers in each county of this state

who will signify their willingness to handle these matters when forwarded to them for processing.

As was pointed out in the last report of this Committee, where the organized bar has failed to accept its responsibility in the matter of affording a plan of legal aid, some other organization has assumed that responsibility, and there are those organizations today in existence which are national in scope and have branches in all of the larger cities in this country. There can be no question but what these organizations are performing a great service, and in each instance the members of our profession are giving of their time and talents, but it is the feeling of the members of this Committee that this is a problem which should be of great concern to the legal profession and particularly of the organized bar. Your committee is ready to formulate such a plan for this state if such procedure meets with the aproval of a majority of the members.

Here in Topeka there is an active Legal Aid Committee of the Topeka Bar Association. Its last report reads in part as follows:

> "Your Committee is happy to report that the Legal Aid Bureau is now firmly established as one of the social aid programs operating in the city of Topeka. This would not have been possible without the extremely fine cooperation of the members of this Bar, some forty in number, who this year gave of their time unstintingly and, of course, with no hope of compensation.
>
> "We are also indebted to Family Service who have again graciously donated space, furniture, professional receptionist and, of course, the ever helpful guidance of Mr. Richard Benson, its director.
>
> "The Committee is also deeply appreciative of the assistance of Miss Romana Hood, Executive Secretary of the Council of Social Agencies who is a faithful friend of our project and, in fact, has from the beginning acted as the secretary of this Committee.
>
> "Washburn Law School is to be commended for its help in the establishment and carrying forward of this program. Dean Schuyler Jackson, and Faculty Advisor, Marvin Larson, have been generous with their time and advice. The student body, in addition to assisting the members of this Bar in conducting its office, are now engaged in a research project for this Committee which, we believe, will add materially to the benefits rendered to the community." . . .

Any plan established by this Association should be co-ordinated with the local bar associations and their established Legal Aid Committees or Bureaus.

A plan was outlined in the report of this Committee presented at the Annual Bar Meeting in 1951 and is again called to the attention of the members of this Association by reference, it being set out on pages 81 to 83 inclusive, of the August, 1951 Journal of this Association. That outlined plan by reason of additional study and experience, should be altered in some of its details and revised in others, but does give the basis for a state-wide legal aid service wholly sponsored and put into effect by the organized Bar and the members of the legal profession.

In bringing this report to a close, your Committee feels that it is justified in stressing the importance of this subject and in recommending that some action be taken by this Association. In any event, this Committee should be continued, and all legal problems forwarded from other Legal Aid Committees or organizations should be given considera-

tion and promptly expedited by this Committee of your Association in line with what other State and local Bar Associations are doing throughout this nation.

Respectfully submitted,

A. J. STANLEY, JR.
RAY BRIMAN
W. D. P. CAREY
DONALD STEWART
CHANDLER JARVIS
J. W. LOWRY
A. B. MITCHELL
O. B. EIDSON, *Ex-Officio*
EVERETT E. STEERMAN, *Chairman.*

MR. STEERMAN: Mr. President, I move the adoption of this report and recommendation.

PRESIDENT BOND: You have heard the report. Do I hear a second?

FROM THE FLOOR: I second the motion.

PRESIDENT BOND: Is there any discussion?

MR. C. H. MORRIS, of Wichita: For three years I have been on the American Bar Association's Legal Aid Committee, and it has been one of their active projects to give legal aid throughout the United States. About all I have been doing is reading the material that has come out. I have changed my mind two or three times, and I think I have finally settled on two or three simple things.

I am convinced of this: That we should extend this Committee and give them the authority to get something done one way or the other. Now, we talk about public relations. We are in a social world. I don't say a socialistic world, but we are in a social world, and we cannot go along with a continued denial of our duty to people in regard to the matter of proper representation because there are plenty of people ready to take it over. Now, I think you will find out that any social worker feels that he is capable of practicing law or doing most anything in an emergency that is necessary for people who seek social aid. I don't believe that the social workers want to encroach upon our problem or take over the law practice, but I am sure that we don't furnish all the legal aid that we could to the social workers. I think that we should assume this responsibility.

I happen to be on the Board of Directors of the Family Consultation Service of the Social Welfare Department in Wichita. I believe in this thing. I prefer that it go to the Legal Aid Committee. Most of those frustrated people that go there that have legal problems, or problems that stem out of legal problems, add to their trouble; and I will not sit by, as a lawyer, and let the social workers take care of those social problems. So, out of necessity, I am trying to do the work, and I would like to give some of it to some of the other lawyers because I still have to eat and work to make a living. I think we should do something about it.

Somewhere we need a shaking down of these people. That is a clearing house, because there are more people now days that have money in their pockets that need social service and social aid and are getting something for nothing; and we lawyers, nine times out of ten, are not sufficiently trained as a social worker to find that out. We are willing to go ahead and do the work, but I think we are going to have to cooperate with the social

worker somewhere and let the social worker find that out; and I am absolutely against saying we are going to give free legal advice, at least give it to people who are able to pay, and that means a screening process to the place where the social worker is going to have to send them to us with a recommendation of how much these people can pay us for our service; and I think we have to quit having all these meetings of lawyers. We have to be on one side of the fence or the other. We can't be down the middle. Lawyers are the most partisan people in the world. You know that in a lawsuit you square off and have a good lawsuit and you are either on one side or the other. Thank you. (Applause)

PRESIDENT BOND: Thank you, Mr. Morris. Any further discussion? If not, all in favor of the motion of Mr. Steerman and the Committee's report and its adoption, signify by saying "aye." Contrary? (Unanimous)

PRESIDENT BOND: Well, as long as Mr. Steerman is here, he has a report of a special Committee that was appointed in connection with war work, and I would like very much to have him give it now. It seems like we are overburdening him with work, but he has been working on these matters for a number of years and he is the logical person to carry them on.

MR. EVERETT E. STEERMAN, of Emporia: As to this report, probably you all know it will be a report made by this Committee every year to this Association.

This Committee was created early in World War II to set up an organization throughout this state and throughout the nation to give legal assistance to the men and women in the Military Service. I am happy to report that that was one of the finest pieces of public relations that the organized Bar has ever undertook, and the many, many letters that I could read to you from people from all over this world who are in the Military Service would bear out that statement. Of course, the American Bar Association was the organization that sponsored setting it up and to the American Bar Association goes a great deal of credit, of course.

This short report I would like to make.

"It has been the function of this Committee which has been in existence from the early days of World War II, to give legal aid and assistance to Military personnel, residents of the State of Kansas."

Now, I should say that that is not entirely a true statement, because there were instances where we gave legal assistance to others than residents of this state. In fact, those that came into camps in this state, why, we had attorneys ready to be of legal assistance to them.

"During the period of the shooting war and when we had Military forces in all parts of the world, this Committee handled hundreds of legal matters for the young men and women in the Service. What was done in Kansas was done throughout the nation, and this work of the several Committees of the Bar Associations of the several states was co-ordinated by the Standing Committee on Legal Assistance for Servicemen, of the American Bar Association.

Your Chairman, as well as the vast majority of the members of this special Committee, have served for the entire period that the Committee has been in existence."

By the way, I don't believe we have ever printed in the Bar Journal the names of all

of the members of this Committee. I think maybe some recognition should be given to them. There is one member in every county, and in the larger counties as many as half a dozen. They are quietly doing the work without any favor. [EDITOR'S NOTE: Names, by county and city, 1954-1955 Committee on War Work, appear on pages 44 to 46.]

WAR WORK

The Special Committee on War Work of this Association desires to make the following report:

It has been the function of this Committee, which has been in existence from the early days of World War II, to give legal aid and assistance to military personnel, residents of the State of Kansas. During the period of the shooting war and when we had military forces in all parts of the world, this Committee handled hundreds of legal matters for the young men and women in the service. What was done in Kansas was done throughout the nation, and this work of the several committees of the Bar Associations of the several states was co-ordinated by the Standing Committee on Legal Assistance for Servicemen, of the American Bar Association.

Your Chairman, as well as the vast majority of the members of this special committee, have served for the entire period that the committee has been in existence.

At the last meeting of the American Bar Association your Chairman was selected to serve as a member of the American Bar Committee. By reason of this new experience, a great deal of information and many reports from other states, as well as the report of members of the Committee of the American Bar Association, have come to the attention of your Chairman, which affords a better opportunity to appraise the value of the vast services which the legal profession as a whole has given to the men and women in the military service, not alone during the period of combat but also since that time, as is evidenced by a letter from Colonel Erwin A. Jones, Chief, Army Legal Assistance, of the Office of the Judge Advocate General, Department of the Army, Washington, D. C., which, omitting formal parts, reads as follows:

"Dear Mr. Steerman:

"Mr. Milton J. Blake, Chairman, Committee on Legal Assistance for Servicemen, of the American Bar Association, recently forwarded to us a revised list of the chairman of State and local committees organized for the purpose of giving legal assistance to service men and women. Many reports received by this office evidence the reliance placed on these committees by our legal assistance officers in the field. We are indebted to you for your hearty cooperation and friendly assistance.

"We sincerely hope that with the guidance of the American Bar Association, the continued warm reception given our servicemen by responsible committees and an ever present effort on our part to sustain the highest principles of our profession, we will mark a new era in the realm of legal service to those who bear arms. We wish success to you and your committee and pledge you our sincere cooperation."

Secretary of Defense, Charles E. Wilson, directed a letter of commendation to the American Bar Association at its last annual meeting, in which he said in part:

"The American Bar Association during the past ten years has contributed generously and effectively in the establishment and support of the Legal Assistance Pro-

> grams in the Armed Forces, and in the mobilization of thousands of volunteer civilian lawyers to collaborate with the Legal Assistance Officers of the services. From their inception in 1943 and continuing through the present date, these programs have assisted millions of service personnel and their families with personal legal problems. This work has been of great benefit to the morale of servicemen everywhere." . . .

Your committee is of necessity large, there being at least one member in each county of the state, and in the greater populated counties there are several, and to each of these members of our profession—because some of them are not members of this Association—goes full credit for the efficient manner in which these legal problems involving the men and women in the service are handled with dispatch and efficiency.

During the year 1953-1954 many legal questions were forwarded to the committee and were satisfactorily disposed of, and to the satisfaction of the member of the military service, by the member of the committee residing in the county where the legal problem existed.

During this past year the Compendium of the Kansas laws covering many of the legal problems which confront men and women in the military service was again revised, printed and distributed among the Legal Assistance Officers in all military installations both in the United States and abroad. This Compendium was originally prepared by members of this Association cooperating with your Committee, and was published by the West Publishing Company and distributed by the standing committee of the American Bar Association.

The Special Committee on War Work of this Association should be continued because of the enlarged peacetime military program, and possibly this committee should be made a standing committee of your Association. In any event, so long as there is need of legal assistance for the men and women in the military service of our country, we, the members of this Association, through this Committee, should provide such speedy, competent and full legal assistance on a cooperative basis with the American Bar Association, as may be required.

I therefore move that this Committee be continued.

Respectfully submitted,

EVERETT E. STEERMAN, *Chairman.*

PRESIDENT BOND: Do I hear a second to Mr. Steerman's motion?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: All in favor signify by saying "aye." Contrary? (Unanimous)

WAR WORK COMMITTEE MEMBERS (1954-1955)

Chairman, Everett E. Steerman, Emporia, Kansas

County	*Name*	*City*
Allen	Frank W. Taylor	Iola
Anderson	Wayne Loughridge	Garnett
Atchison	Steadman Ball	Atchison
Barber	O. M. Wheat	Medicine Lodge
Barton	Arthur P. Hagen	Great Bend
Bourbon	E. E. Blincoe	Fort Scott
Brown	Roy V. Nelson	Hiawatha
Butler	L. J. Bond	El Dorado
Chase	Karl W. Masoner	Cottonwood Falls
Chautauqua	John M. Wall	Sedan
Cherokee	C. E. Rumery	Baxter Springs
	Joe .L Henbest	Columbus
	Nellie M. Swaney	Galena
Cheyenne	D. N. Postlethwaite	St. Francis
Clark	Willis A. Shattuck	Ashland
Clay	Elmer Anderson	Clay Center
Cloud	Frank C. Baldwin	Concordia
Coffey	William A. Buckles	Burlington
Comanche	Jay T. Botts	Coldwater
Cowley	Earl N. Wright	Arkansas City
	George Templar	Arkansas City
	Marion P. Mathews	Winfield
Crawford	Robert S. Lemon	Pittsburg
	Robert O. Karr	Girard
Decatur	Wallace T. Wolfe	Oberlin
	John M. Bremer	Oberlin
Dickinson	Dean McIntyre	Abilene
	W. H. Alward	Herington
Doniphan	A. O. Delaney, Jr.	Troy
Douglas	R. B. Stevens	Lawrence
	Charles A. Springer	Lawrence
Edwards	John A. Etling	Kinsley
	Jerome K. Wilson	Kinsley
Elk	Kathryn S. Tarwater	Howard
Ellis	Paul Ward	Hays
	Ernest J. Malone	Hays
Ellsworth	V. E. Danner	Ellsworth
Finney	Dale H. Corley	Garden City
Ford	George R. Gould	Dodge City
Franklin	John B. Pierson	Ottawa
Geary	Robert A. Schermerhorn	Junction City

County	*Name*	*City*
Gove	R. H. Thompson	Gove
Graham	James V. McVey	Hill City
Grant	W. P. Wesley	Ulysses
Gray	C. C. Linley	Cimarron
Greeley	Harold Bragg	Tribune
Greenwood	E. E. Pedroja	Eureka
Hamilton	Robert H. Gale	Syracuse
Harper	Max D. Hall	Anthony
Harvey	Kenneth G. Speir	Newton
	Edgar Bennett	Newton
Haskell	C. G. Dennis	Sublette
Hodgeman	O. A. Wilson	Jetmore
Jackson	Charles F. McCoy	Holton
Jefferson	James S. Lester	Oskaloosa
	Gordon K. Lowry	Valley Falls
Jewell	George E. Teeple	Mankato
Johnson	Howard E. Payne	Olathe
Kearny	John D. Edwards	Lakin
Kingman	Paul R. Wunsch	Kingman
Kiowa	Steve W. Church	Greensburg
Labette	Elmer W. Columbia	Parsons
Lane	John S. Elting	Dighton
Leavenworth	F. C. Bannon	Leavenworth
Lincoln	Theodore M. Metz	Lincoln
Linn	F. M. Ball	Blue Mound
	M. K. Hoag	Pleasanton
Logan	Herb Hampton	Russell Springs
	James Jensen	Oakley
Lyon	Everett E. Steerman	Emporia
	Elvin D. Perkins	Emporia
McPherson	L. H. Ruppenthal	McPherson
Marion	David W. Wheeler	Marion
Marshall	Walter T. Griffin	Marysville
Meade	E. Keith Beard	Meade
Miami	R. E. Coughlin	Paola
Mitchell	Wm. N. Tice	Beloit
Montgomery	Kirke C. Veeder	Independence
	Richard L. Becker	Coffeyville
Morris	Harry M. Tompkins	Council Grove
Morton	Earl Brehmer	Elkhart
Nemaha	Harry A. Lanning	Seneca
Neosho	Joe F. Balch	Chanute
	Clark M. Fleming	Erie
Ness	Thos. H. Harkness	Ness City

County	*Name*	*City*
Norton	Wm. B. Ryan, Jr.	Norton
Osage	Alex Hotchkiss	Lyndon
Osborne	Omar D. Gregory	Osborne
Ottawa	L. A. McNalley	Minneapolis
Pawnee	Roscoe E. Peterson	Larned
Phillips	W. A. Barron	Phillipsburg
Pottawatomie	Donald D. Williams	Wamego
	Derald M. Sparks	St. Marys
Pratt	B. V. Hampton	Pratt
Rawlins	Forest W. Brown	Atwood
Reno	Max Wyman	Hutchinson
Republic	Fred Swoyer	Belleville
Rice	L. E. Quinlan	Lyons
Riley	Scott Pfuetze	Manhattan
Rooks	Wayne McCaslin	Stockton
Rush	Neil Hotchkiss	LaCrosse
Russell	Harold W. McCombs	Russell
Saline	Alex H. Miller	Salina
Scott	James W. Wallace	Scott City
Sedgwick	Martin P. Shearer	Wichita
	Earl C. Moore	Wichita
	W. F. Lilleston	Wichita
Seward	Charles Vance	Liberal
Shawnee	Margaret McGurnaghan	Topeka
	O. B. Eidson	Topeka
Sheridan	Alex M. Fromme	Hoxie
Sherman	Thomas H. Taggart	Goodland
Smith	J. F. Bell	Smith Center
Stafford	Arthur R. Gates	St. John
Stanton	Max L. Dice	Johnson
Stevens	A. E. Kramer	Hugoton
Sumner	W. H. Schwinn	Wellington
Thomas	E. F. Beckner	Colby
Trego	Wm. H. Wagner, Jr.	WaKeeney
Wabaunsee	M. H. Barnes	Alma
Wallace	James E. Taylor	Sharon Springs
Washington	L. W. Rosenkrantz	Washington
Wichita	W. C. Dickey	Leoti
Wilson	Rex A. Lafferty	Fredonia
	P. W. Stevens	Neodesha
Woodson	E. E. Lamb	Yates Center
Wyandotte	J. O. Emerson	Kansas City
	J. Willard Haynes	Kansas City
	Blake A. Williamson	Kansas City

PRESIDENT BOND: Thank you, Mr. Steerman. Next on our program is a report on Legal Education and Admissions and Dean F. J. Moreau is the Chairman of that Committee.

LEGAL EDUCATION AND ADMISSIONS

DEAN F. J. MOREAU, of Lawrence: President Bond and Members of the Kansas Bar Association: This morning's discussion indicates that the Bar usually moves slowly. It should, of course. It shouldn't rush pell-mell, but still it should move.

The talk by Mr. Lillard and Douglas Hudson indicated that we need improvement, just like the man who came home in not too good condition, and his wife reprimanded him and said, "Here I have been talking and talking all these years, but it doesn't do any good"; and he said, "You talk just as much as ever."; and that seems to be what we do on legal education and admissions to the Bar.

When this Committee met last October in Wichita with the rest of the Committees, it had before it what I consider to be four fundamental facts. First, that the Supreme Court of Kansas sixteen years ago had issued an order to the effect that beginning July 1, 1942, the candidate for admission to the Bar of Kansas must show that he had obtained a collegiate degree upon entering the study of law. That order never went into effect, as you know, because of Pearl Harbor.

Secondly, the Committee had before it the report of this same Committee in 1951, under the Chairmanship of Howard Jones, in which he said that, "After considerable discussion and full consideration the Committee came to the conclusion that the seven-year rule should be adopted as soon as practicable." Of course, it had already been adopted years ago and we should have been able to say that we had put that rule into effect, which we hadn't at that time.

In the third place, we have the report for 1952, under my Chairmanship, which held two meetings, one in Dodge City and one in Topeka; and the Committee decided after a great deal of discussion, both in Dodge City and in Topeka, that the seventh year should be added to the sixth year and that we should agree to make a four years of college, three years of law school program, or a three and one-half and three and one-half year program, or even in some instances a three, four program.

Some members of that Committee felt—Mr. Humphrey, I remember distinctly worrying about the law part of it and urging law schools to expedite matters by carrying on full summer school sessions which we usually do anyway.

The Committee suggested that these recommendations be made known to the Supreme Court and to urge the Court to implement these proposals.

The report for the year 1953 under the Chairmanship of Dean Jackson states that the Committee met in Wichita and mapped out a clean-cut statement that after July 1, 1955, candidates for admission should have completed seven years of study, or their equivalent, with the provision that it could be three and one-half and three and one-half or four years of college and three years of law; and a special provision should be made available

for men in the Military Service that they could do it under the old plan that it takes two years or more in the armed forces and then he could complete his requirements for admission under the rules operative today.

Dean Jackson reported that he had conferred with the Chief Justice and members of the Court and members of the Board of Law Examiners and that he had not found a great desire to go on paper with a seven year program at that time.

Now, that is what we had before us last fall. Now, what were we going to do—talk some more—do only what is necessary? If you do only what is necessary in this world, you will never get very far. You sometimes have to do what you deem additional. So, the Committee considered it useless and undesirable to rehash the things that had been hashed over for three years by very able men, and that Committee's personnel changes except for Dean Jackson and myself, who seem to act on every session, and our friend O. B. Eidson. O. B. Eidson gives it the stability across the years.

Secondly, that because of the many new things which have been thrown into the law curriculum today, it seemed more desirable to have more time devoted to the study of law than the usual minimum of three years, and the Committee tossed the problem back into the hands of Dean Jackson and myself.

Now, the Committee made several other recommendations at the time. Judge Fisher felt that greater emphasis should be given to the study of legal ethics because of the great economic pressure of today upon all lawyers and perhaps more so upon the young ones. Judge Somers, who was Chairman of another Committee on Legal Ethics and Public Relations, gave a report in Wichita in which his Committee recommended to the schools that definite courses be given on the subject of legal ethics.

Judge Fisher emphasized the terrible and unnecessary delays in the administration of justice and suggested that perhaps we could do something about it, and practical skills were discussed, the subject which always leads to plenty of discussion when lawyers and law teachers get together.

A system of apprenticeships was discussed, and it was noted that more legal writing should be taught in the schools; and Mr. Leasure wisely pointed out that legal education is a lifetime job and cannot be learned in three years in law school. He suggested that the schools should plan a broad program, keeping step with world developments, and urged the schools not to go back to the horse and buggy days.

When Dean Jackson and I left Wichita, we had some very weighty problems on our hands. What were we going to do? As the time drew short for me to draw this report, I contacted him again and we arranged to see the Court; and the Court said that if we were ready to go on the seven year basis they would be very glad to give us its blessing; and that is where we stand today. We have about decided to put in this seven year program.

That word "seven" bothers me a little bit. Seven years or the equivalent, but certainly it will mean that when this goes into effect—I don't know when we will decide to put it in. We will have to talk it over with Dean Jackson—probably July 1, 1957—that anyone will not be admitted to this Bar who hasn't 124 hours of credit or a college degree plus an additional three years of full-time study of law. This means, of course, that after

the date set for putting this rule into effect all candidates for admission to the Bar will have to show that they have devoted seven academic years or their equivalent in preparation for the practice of law, to be divided basically according to our thinking with Dean Jackson on a four years of college, three years of law basis, with a recommendation for a three and one-half, three and one-half division, and also for a possible exception making the division three years of college and four years of law. This will be true of all candidates regardless of what universities or colleges they come from.

I want to tell this Association that the University of Kansas has already made one addition to its curriculum, that we have gone to the ninety-hour requirement instead of eighty-two. People who enroll this fall will be offered ninety hours instead of eighty-two. Our reasons for doing this are as follows:

(1) It is accepted by everyone today that the candidates for admission to the Bar need more coverage of special matters than they did twenty-five years ago; taxation, administrative law, trade regulation, labor law, public utility law, etc., all clamor for attention.

The added eight hours will decidedly give an opportunity to cover these more thorughly than we had been able to heretofore.

(2) Ninety hours calls for six semesters of fifteen hours each, or their equivalent. It has been our experience that because our students carry fourteen or fifteen or even as many as seventeen hours, depending upon the number of courses (four four-hour courses for sixteen hours of credit make an easier schedule than seven two-hour courses for a total of fourteen hours of credit) very frequently students approach the last semester needing only seven or eight or ten hours to get the required eighty-two. It is sometimes difficult to have them carry the load they should continue to carry to devote their full time to the study of law for the three years. Since going to the ninety-hour requirement, we do not have such problems.

(3) We still have at the University of Kansas, and probably always will have, a number of students who work their way through school, partially at least; and we feel those people should spend more time in the classroom because they are unable to spend the amount of time we think they should spend in the library. We would like to spend a few more hours with them in the classroom because of their limited opportunity to study in the library.

Of course, many great lawyers didn't need to go to law school. My old friend, Charlie Hunt, was a great lawyer and he never had anything beyond high school. Now, we recognize that, but still we are confronted with a problem of what we should do.

Now, that about sums up the work of this Committee. I haven't had a complete report from all of the members yet. I have a letter from Ford Harbaugh who thinks it is all right, and Dean Jackson thinks it is a good report although he himself does not share our enthusiasm about going from eighty-two to ninety hours. Of course, there are a lot of the law schools that have not gone to the ninety hours. Only three so far have, but we think it is important for the reasons stated.

I have also a letter from Mr. Maurice Wildgen, and I saw O. B. Eidson last night and

he thought it was all right; and I assume no news from the other members of the Committee is good news.

Mr. President, I would like to digress a little from the usual motion and move that this Association give their blessing to this move. Just recently, it is only four years ago, I listened to Chief Justice Harvey in St. Louis before the section on Legal Education and Admissions to the Bar when it was considering going from two years of college to three. He said, "If I was doing this, I would strike the word 'three' and put the word 'four'." It does seem that after talking all these years that it is time to implement this step, and I so move, Mr. President.

PRESIDENT BOND: You have heard the motion of Dean Moreau and you have heard his remarks. All in favor—do I hear a second?

FROM THE FLOOR: Second the motion.

FROM THE FLOOR: I second the motion.

PRESIDENT BOND: It was seconded by two distinguished gentlemen. All in favor signify by saying "aye." Contrary? (Unanimous)

PRESIDENT BOND: It appears that the members of this Association are heartily in favor of raising the standards of the Bar. The vote was carried unanimously.

The next report will be by Mr. Claflin of Kansas City, Chairman of the Committee on Legal Institutes.

MR. O. Q. CLAFLIN, III, of Kansas City: Mr. President and Members of the Association: As Dean Moreau points out, the work of the Committee on Legal Institutes will never be finished. It will always continue on. It is a matter of promotion, so we make our report for the past year.

LEGAL INSTITUTES

Your Committee on Legal Institutes reports as follows:

Legal Institutes have been held by several of the local and district Bar Associations during the past year—the Lyon County Bar at Emporia; the Leavenworth County Bar; the Southwest Kansas Bar; the 24th Judicial District Association; the Southeast Kansas Bar; the Northwest Kansas Bar. All have been well attended. While the prime credit must be given the lawyers who arranged these meetings, your Committee hopes that it has been helpful both in encouraging the holding of these Institutes and in assisting with their presentation.

The Committee would urge that every effort be made to expand the Institute program, feeling that they are extremely important both from the standpoint of the fellowship which they generate and from the standpoint of the opportunity they afford the individual lawyers to keep up to date on matters of importance to them in their practice.

The Committee did some work along the line of developing programs which might be available to the various local and district Associations—for instance, a mock trial on a given set of facts with some capable plaintiff's counsel pointing out the high lights of his preparation and presentation of the case, and then the contrast of the case as seen

and prepared by defense counsel. Such a program would seem to be of general interest to all attorneys and it is the feeling of the Committee that if such programs can be developed they will assist local Bar groups in maintaining their status as representatives of all the lawyers in the Community and the tendency toward the organization of smaller groups of attorneys whose primary concern is a specialized field of endeavor will be lessened. This plan was not fully developed but we recommend that full consideration be given to this matter in the coming year.

Respectfully submitted,

JAY H. SULLIVAN
JEROME HARMAN
KARL MILLER
SAM W. G. LOWE
ROBERT M. FINLEY
ROBERT L. BRILEY
GEORGE TEEPLE
OLIVER D. RINEHART
J. S. BROLLIER
JAMES E. TAYLOR
LAWRENCE WEIGAND
JAMES W. PUTNAM
H. L. SHEPPEARD
ROBERT A. ANDERSON
C. HAROLD HUGHES
GEORGE A. ROBB
LEAFORD F. CUSHENBERY
DON POSTLEWAITE
KNOWTON E. CARSON
E. S. HAMPTON
WESLEY E. BROWN, *Ex-Officio*
O. Q. CLAFLIN, III, *Chairman.*

I move, Mr. President, that this report be received and adopted.

PRESIDENT BOND: You have heard the motion and you have heard the report of the Committee. This is an important Committee and much good has come out of the work of this Committee. Do I hear a second?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: All in favor of the motion signify by saying "aye." Contrary? The motion is carried unanimously.

The next Committee is the Committee on Local Bar Associations. This Committee has been very active this year and has accomplished considerable. I think the Committee Chairman is here, Mr. Conner of Great Bend.

I want to point out to you that we have these new Committees with realtors and also trust bankers. I hope you will listen to what they have to say.

MR. FRED L. CONNER, of Great Bend: Mr. President and Members of the Bar: The Local Bar Associations Committee reports as follows:

LOCAL BAR ASSOCIATIONS

The Committee instigated the formation of several local bar associations during the past year and served as an advisory group to local associations to bridge the gap between the local groups and the state organization. At the last count, there were 59 local associations; of these 47 were on a county basis, 5 were city groups, 2 covered the area of the

judicial districts, 4 were regional groups, and 1 covered a 4 county area that, as far as we know, "just growed."

The Committee obtained 87 members from this Association to appear on a panel of speakers available, without any expense, to speak at local association meetings. The speakers were from all sections of Kansas. A list of the speakers and their subjects was made available to officers of all local associations and to every member of this Association. Exact results of this effort are unknown as all contacts by local groups were direct with the speakers, however, it is known that speakers from the list were used extensively in some areas and not at all in other areas.

The Committee has referred to other committees of this Association many inquiries and suggestions from local groups. Such action as was taken regarding these matters appear in the reports of the other committees. The inquiries and suggestions related largely to cooperation and coordination with the program of this Association.

These are the activities of the Committee to perform its assigned functions (1) to encourage the formation of local bar associations throughout the state (2) to assist local bar associations in any possible way, and (3) to maintain a list of speakers and topics for appearance at local meetings.

Respectfully submitted,

CHARLES E. HENSHALL
ROBERT F. GALLOWAY
CHARLES E. JONES
WALLACE T. WOLFE
CLARK A. WALLACE
J. WIRTH SARGENT
HARRY O. JANICKE
FRANK G. THEIS
W. H. VERNON
JAMES D. HOWELL
PHILIP BUZICK
C. L. CLARK
DEAN MCINTYRE
FRED L. CONNER, *Chairman.*

Mr. President, I move the acceptance and approval of the report.

PRESIDENT BOND: Thank you, Mr. Conner. You have seen in the Bar Journal some of the work of this Committee, and really they have done a fine job this year, as all of the Committees have; but this Committee has particularly worked on their project. Do I hear a second?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: All in favor say "aye." Contrary? (Unanimous)

PRESIDENT BOND: Mr. Garvin, Chairman of the Memorial Committee, would you care to make your report at this time?

MEMORIALS

MR. ROBERT GARVIN, of St. John: There were as near as we have been able to ascertain thirty-two lawyers who died since our last meeting, and I shall read their names; but, Mr. President, would it be improper for us to stand a short period in respect to these deceased members?

(The members of the Bar now stood for a short period)

MR. GARVIN: Thank you. I think that will rest you for a little bit, too.

The Committee has had a lot of trouble, as we did this year, to get the information to make a complete history of each of our members that have died. We have a questionnaire printed and have sent that around to the District Judges and other lawyers and have been pretty successful in getting a report on the members that have died. Those that we haven't got a complete report on, we will probably get later on. That is the best we can do. We are bound to have missed some.

Now, I have just learned of one this morning that passed away, and if you find that we have overlooked somebody, just don't be alarmed about it. If you will just report it to me after the meeting, I will see that the name is included in the report.

We are putting these questionnaires and obituaries in a lose-leaf volume and that will be passed on from year to year, and I think if you would read some of those reports you would find a pretty fair history of the lawyers and the activities of the State of Kansas.

I am going to read you one report and this is on Eugene Stanley, who was a prominent lawyer and has been President of our organization. This will give you some idea of what we do in getting the information regarding deceased members.

W. E. (GENE) STANLEY

Born Wichita, Kansas, April 30, 1891; died Wichita, Kansas, September 26, 1953. His father, W. E. Stanley, was 15th Governor of State of Kansas. Married Margaret Long, January 18, 1922. One daughter, Margaret Anna Stanley Hall, and three grandchildren, of Denver, Colorado. At time of death was practicing at Wichita, Kansas, with firm of Depew, Stanley, Weigand, Hook & Curfman, of which he had been a member for more than 30 years.

Attended Baker University 1908-10. Ph.B., University of Chicago, 1912, J.D., 1913. Admitted to Kansas Bar 1914.

Served as 1st Lieutenant in U. S. Army, 1917-1919; a.d.c. to Major General Leonard Wood, 1919.

Kansas State Bar Association: Secretary 1920-38; President 1940-41. Kansas State Bar Association Journal: Founder; Editor 1932-38.

Inter-American Bar Association: Member; member of Council and Delegate to Havana 1941, Mexico City 1944.

Kansas State Historical Society: Vice President 1941; President 1942.

Member of National Republican Committee.

American Red Cross: Chairman Sedgwick County Chapter 1942-43; Member of Board 1941-44, 1949-53; contributed his talents to reorganization of the Chapter for War Work, for which he received citation in 1943 for success of War Fund Drive; also received two citations (July 1946 and September 1946) for personal meritorious service.

Wichita Community Chest: Member of Board 1949-53; received citation for distinguished service in revision of constitution and by-laws.

University of Chicago Law School Alumni Association: President 1943; member of Advisory Board since 1944; in 1944 received "Useful Citizen" citation for Public Service; recently had become member of Visiting Committee.

On August 26, 1953, while attending A.B.A. meeting in Boston was presented citation by Section of Insurance Law in recognition of years of service to that Section, "particularly for the year 1935-36, during which he served as Chairman of the Section."

Member of: Wichita Chamber of Commerce; Delta Taw Delta Fraternity; Methodist Church (active); 32-Degree Mason; IOOF; Wichita Country Club.

Activities in American Bar Association and related organizations:

Member of House of Delegates continuously since 1937 in various capacities; as State Delegate, member of the Board of Governors and, at the time of his death, as Assembly Delegate.

Member of Board of Governors from 1942 to 1945.

Member of Council of the Insurance Section from 1932 to 1936, and Chairman in 1936.

Member of Council of the Section of Legal Education and Admissions from 1931 to 1942, and Chairman in 1941.

Member of Council of the Section of Bar Activities from 1937 to 1940.

Chairman of Committee on Ways and Means since 1946.

Member of House Committee on Rules and Calendar since 1945.

Member of Finance Committee of the American Bar Foundation since its organization in 1952.

Member of Committee on Selection of Site for the American Bar Center, 1951-1952.

Member of Conference of Commissioners on Uniform State Laws since 1936; Vice-President from 1940 to 1943, President, 1943-1944 and 1946-1947, and Chairman of the Executive Committee from 1947 to 1949.

MR. GARVIN: Now, gentlemen, if you want to get a good history of yourself and of your deceased brothers, will you kindly help us to get these reports? We have just done the best we could to get all the information, and many of you, especially the District Judges, have been mighty kind to your Committee in helping us gather information on deceased brothers.

The rest of the report of the Memorial Committee is as follows:

This year we have continued the plan adopted last year of obtaining a questionnaire on each lawyer who died during the year. There were a total of 32 lawyers who have died since our last annual meeting April 25, 1953. Questionnaires bound in a loose-leaf binder, in alphabetical order, and giving a fair history of the individual have been obtained. In some respects these questionnaires reflect the history of Kansas.

Your committee expresses its deep appreciation to the District Judges and lawyers who have helped furnish us with some of these questionnaires. We are especially indebted to our Secretary, Mr. John W. Shuart, who has been of valuable assistance in reporting the deaths of lawyers, both members and non-members of our organization.

The names of the lawyers who have died since our last annual meeting are as follows:

PAUL APPLEGATE, WaKeeney, Kansas, died June 2, 1953; E. R. BARNES, of

Pratt, Kansas, died February 21, 1954; LUTHER BURNS, of Topeka, Kansas, died November 16, 1953; ARTHUR F. CRANSTON, of Parsons, Kansas, died January 18, 1954; WILLIAM DRENNAN, of Kansas City, Kansas, died June 21, 1953; R. M. EMERY, JR., of Seneca, Kansas, died November 27, 1953; CLARENCE GORRILL, of Lawrence, Kansas, died September 7, 1953; ALVA J. GRAHAM, of Winfield, Kansas, died December 31, 1953; RANDAL C. HARVEY, of Topeka, Kansas, died June 22, 1953; VINCENT F. HIEBSCH, of Wichita, Kansas, died September 23, 1953; CLIFFORD HOLLAND, of Russell, Kansas, died December 6, 1953; JAY V. HOLMES, of Kansas City, Kansas, died March 12, 1954; WILLIAM C. HOOK, of Wichita, Kansas, died December 7, 1953; FORREST J. HORTON, of Salina, Kansas, died October 31, 1952, (the report of his death arrived too late to include in our report last year and we are listing his name in this report); BRADEN JOHNSON, of Marion, Kansas, died November 21, 1953; WILLARD J. KING, of Geuda Springs, Kansas, died May 22, 1953; CHESTER H. LOUGHBOM, of Kansas City, Kansas, died June 5, 1953; EDWIN S. McANANY, of Kansas City, died March 28, 1954; HUGH McFARLAND, of Topeka, died November 19, 1953; C. O. McGILL, Hutchinson, died ....., 1954; GROVER PIERPONT, of Wichita, died December 31, 1953; WILLIAM EUGENE STANLEY, of Wichita, died September 26, 1953; GEORGE D. RATHBUN, of Manhattan, died October 3, 1953; DAVID J. SMITH, of Kansas City, died April 8, 1954; GEORGE SIEFKIN, of Wichita, died March 28, 1954; EDGAR K. THIEL, of Colby, died September 30, 1953; PERCY GARFIELD WADHAM, of Marysville, died December 4, 1953; WILLIAM KOST WARD, of Kansas City, died July 31, 1953; SOL M. WEINSTEIN, of Kansas City, died March 24, 1954; CHARLES C. WHEELER, of Pittsburg, died April 20, 1953; O. A. WILSON, of Jetmore, died January 21, 1954; and CHARLES G. YANKEY, of Wichita, died December 29, 1953.

Respectfully submitted,

ROBERT GARVIN, *Chairman*
T. F. RAILSBACK
MORRIS P. O'KEEF
W. M. BEALL, *Ex-Officio*
CLEMENT H. HALL
ROY B. DARLINGTON
C. A. P. FAULCONER
EUGENE G. COOMBS
CLAYTON M. DAVIS
DAVID J. WILSON.

MR. GARVIN: Thank you. I move the adoption of the report.

PRESIDENT BOND: You have heard the report and the motion that it be adopted. Do I hear a second?

FROM THE FLOOR: Second the motion.

PRESIDENT BOND: All in favor of the motion signify by saying "aye." Contrary? Carried (Unanimous)

PRESIDENT BOND: Well, I think we have time for the next report. This is an important Committee, also; and we have a fellow at the head of it who is really interested, and that is the report of the Committee on Professional Ethics.

JUDGE J. G. SOMERS, of Newton: The report, if made, would contain no recommendations. In the interest of time, I move that the report be omitted.

PRESIDENT BOND: Do you have a written report, Judge Somers?

JUDGE SOMERS: I could make a written report. It would only be about three inches long.

PRESIDENT BOND: Do I hear a second that we dispense with it? He has no recommendation to make, but I do happen to know that this Committee has been active and has taken care of its job in a fine way.

Do I hear a second?

FROM THE FLOOR: I second the motion.

PRESIDENT BOND: All in favor of the motion that we dispense with Glenn's report signify by saying "aye." Contrary? Carried unanimously.

Now, I promised that we would be away from here in time for you to attend the luncheons that you wanted to, so I will adjourn this meeting; but I want to point out that there are some matters of considerable importance to you lawyers in these reports, particularly these two or three new Committees; and we have had complaints about trust bankers practicing law and real estate men practicing law; and these Committees have worked on these problems. I suppose they will have to come Saturday afternoon. Yes, Saturday afternoon after the luncheon; so, without further ado, I will adjourn this meeting until this afternoon. There are some fine things in the section meetings that you don't want to miss.

SATURDAY, APRIL 17, 1954—ROOF GARDEN, HOTEL JAYHAWK

PRESIDENT BOND: The first thing we have this afternoon is to finish the reports of some of the committees that we didn't have time for in the opening session. I will say to the committee chairmen that this is the closing session of this Convention, and naturally many members want to get away to the Relays and on other business, so we want you to make your reports as short as possible, although I know the great amount of work that you have done and the importance of your committees.

The first one is the Committee on Prospective Legislation. The Chairman is Ed Boddington of Kansas City.

MR. EDWARD M. BODDINGTON, SR.: Gentlemen, I will skip the first page and give you the affirmative part of the report for your consideration.

PROSPECTIVE LEGISLATION

Your Committee on Prospective Legislation has studiously and energetically considered the mandate from the Kansas State Bar Association, long since adopted, to modernize our Civil Procedure and bring it somewhat in conformity with the Civil Procedure in the Federal Court and in the four surrounding states. Unfortunately there has been a lethargy on the part of some members of the Bar to disturb the old iron curtain methods now existing as they relate to interrogatories and depositions. Legislative attempts have been made through several plans to accomplish such results, but they

have all failed because of the lethargy or fear on the part of some attorneys to face the fact that the public, the litigants and the courts are all entitled to the best-known means for the production of truth in litigation. Another reason for failure is the fact that the Bar has not educated the public to the needs and necessities of making the change. Again, this Bar should raise a fund for legislation for this specific purpose. It is unfair to leave such a vital project to the charity of lawyers who have the subject matter at heart when this is a project which would be beneficial to the public, to the Bar, and to the litigants.

Your present Committee has served through a legislative off-year. One semi-annual meeting was held at Wichita and Mr. J. W. Scovel presided. The Committee expressed approval of the principles of House Bill 306 which was introduced in the last session of the Kansas Legislature. That bill approached the subject matter by delegating to the Supreme Court of Kansas the authority to make rules of Civil Procedure. Of course, the Legislature should provide adequate and sufficient funds to carry out such a large program and it should not all be thrown upon the shoulders of the Supreme Court in view of the many responsibilities that the Court now has.

At Wichita the Committee considered the subject of foreign insurance companies insuring titles in Kansas, and it was the consensus of opinion of said Committee that title insurance companies should be required to make deposits of securities and qualify for writing title insurance as preliminary steps to the doing of business in Kansas on the same plane and basis as all other insurance companies; otherwise there would be no assurance for the residents of Kansas that such out-state insurance companies would pay off in case of a loss.

Each and every member of this Committee feels that the mandate heretofore made by the State Bar of Kansas relating to the improvement of Civil Procedure and the taking of depositions should be a continuing mandate to educate and encourage the public of Kansas to modernize our Civil Procedure in conformity with the Civil Procedure of the Federal Courts and that of Missouri, Nebraska, Colorado and Oklahoma.

Your Committee suggests and recommends that an immediate start be made by this Bar Association and all the members thereof to (1) adopt rules of Civil Procedure somewhat similar to the Federal Rules of Civil Procedure; or to (2) introduce legislation to permit discovery by depositions and interrogatories; or to (3) introduce legislation giving the Supreme Court the power to make rules of Civil Procedure. In that connection, your Committee feels that there also should be legislation (a) permitting medical examinations in personal injury suits prior to the time of trial by a physician or physicians agreed upon by the parties or selected by the court; (b) considering the question of selection and tenure of judges and their reelection by running against their record; and (c) permitting bar libraries in all counties of more than 12,000 population.

The Bar Association blazes the trail and announces the plan which is best for the public, the courts and the Bar. Realizing that its finances in carrying out the substance of any suggestions made are quite limited, your Committee suggests that the officers, the Treasurer and the Executive Council of the Bar Association provide sufficient funds

for a study and a preparation of bills in conformity to the mandate of the Bar Association, and the introduction thereof in the legislature of Kansas for the session of 1955.

Respectfully submitted,

EDWARD M. BODDINGTON, *Chairman*
JAMES W. PORTER
RICHARD L. BECKER
GEORGE TEMPLAR
L. A. MCNALLEY
JAY T. BOTTS
R. C. WOODWARD
WARREN W. SHAW
ELVIN D. PERKINS
GARNER E. SHRIVER
JAY W. SCOVEL, *Ex-Officio*

MR. BODDINGTON: I move the adoption of the affirmative part of this report.

(Motion seconded, and carried.)

PRESIDENT BOND: I note the Program Committee didn't make a report, but there wasn't any necessity for that committee to make a report. If Joe Balch is here, I would like for him to stand, because his committee has done a wonderful job and I have heard a lot of fine comments about the program that was arranged for the Bar Association. I refer particularly to the Section Meetings, rather than the evening program, although they are responsible for that, too. They have done a fine job. Give them a hand. (Applause)

Judge Wallace has been Chairman of the Public Relations Committee, and his report will be published in the Journal. There aren't any recommendations, so he has asked to be relieved of making a report to this group in the interest of saving time. Be sure to read the report of this Committee, though, because they have done a good job.

PUBLIC RELATIONS

It is the well considered opinion of the Public Relations Committee that the lawyers of Kansas are improving their public relations. We are firmly convinced that lawyers are better understood and, therefore, have more public esteem and appreciation than was the case five years ago. We attribute this primarily to lawyers becoming more conscious of their opportunities and obligations and to their dispensing information to the public concerning law and lawyers.

During the fiscal year the association, through the Executive Secretary, has distributed to lawyers and laymen many thousands of our informative pamphlets. These pamphlets have been distributed to the public through lawyers' offices, and speaking engagements to many types of audiences. Many lawyers have appeared numerous times before farm groups, civic organizations and women's clubs, dispensing pamphlets and other information concerning law and lawyers. One prominent lawyer of Kansas who has made numerous appearances before farm groups under our program writes: "I was amazed at the response and lack of knowledge of the public as to the function and purpose of a lawyer in our society. The parties were so interested in the matter that they desired to

have their husbands attend their local unit meetings and I have attended three since the county meeting."

More than 75 Kansas newspapers have carried our "You and the Law" column during the past year. A total of 30 columns were prepared, which means that 2,750 separate columns were carried in Kansas newspapers. These have a combined circulation of 177,000. Our one magazine release "If There's a Will—There's a Way" was carried in Capper's Farmer which has a circulation of over 1,400,000. This release was of particular interest to farm groups and organizations and many reprints thereof have been called for and distributed. Our "You and the Law" is at all times available for newspaper publication and local bar groups are urged to secure releases for their local newspapers.

Thirteen radio stations of Kansas have carried our radio programs "True Legal Dramas" and "Women's Court of Radio" and as a result thereof over 217 of these programs have been aired during the year. Our Speakers' Bureaus have commenced to become active and with the continued assistance of the Committee on Local Bar Associations we are assured of much more Speakers' Bureau activity.

The school program, wherever organized, has met with the approval of students and school officials and is being extended to include a number of additional counties. This program has created considerable interest in other states and the secretary has supplied details of our program to several other state associations. We commend this program to all local bar groups.

The over-all expenses of the committee for the fiscal year have approximated $3,000, all of which has been spent through and audited by the Executive Secretary.

For the future we urge a continuation of the present bar association program with more and greater organized aggressive action. Local bar associations are the key in developing and obtaining beneficial results from all or any part of the program. We gratefully acknowledge the assistance the program has received from Fred Conner and the members of his Local Bar Associations Committee. We urge a continuation of their efforts to the end that there may be an organized local bar in every county. It is most important that all presidents and secretaries of local bar associations seek adoption by their respective groups of the state association program and by words and action make the state association program really effective. Our program has, of course, been fashioned by the state association, but it is and can be made effective only at the county court house with its affiliated lawyers. In each county and in each local bar we urge consideration, organization, work and effort for the 6-Point program:

1. Less Legal Delays.
2. Uniform formality and dignity of procedure.
3. Law and procedural improvement.
4. Public Information.
5. Speakers' bureau.
6. School program.

Respectfully submitted,

JOHN E. BLAKE
GEORGE BARRETT
ROY C. DAVIS
THOMAS D. HAMPSON, JR.
JEROME HARMAN
VERNE M. LAING
J. DONALD LYSAUGHT
ROBERT L. MARIETTA
ETHAN POTTER
ELDON SLOAN
HERMAN W. SMITH, JR.
WAYNE W. RYAN
PAUL R. WUNSCH
D. B. LANG
CLARK A. WALLACE, *Chairman.*

Relations with Abstracters is next. Harold L. Blake of Wichita is Chairman of that Committee. Are you ready with your report?

RELATIONS WITH ABSTRACTERS

Your Committee on Relations with Absrtacters reports as follows:

Shortly after the appointment of the above committee, all members were contacted, also correspondence was had with Mr. Marvin W. Wallace, Secretary-Treasurer of The Kansas Title Association, at which time all parties were requested to submit any questions which should be discussed by this committee. Also, prior to the Mid-Year Meeting of the Association on October 23, 1953, all of the same parties were again contacted, however, all parties reported that no problems or questions had been submitted to them or had been called to their attention, and the statement of one committee member about covered this committee's activities when he stated "The situation seem to be good and I suppose we had better leave it that way."

Your committee has no new project to recommend and has received no complaints, criticisms or suggestions of any nature.

Respectfully submitted,

CHARLES HALL
MARLIN S. CASEY
WILLIAM S. EDDY
C. E. BEYMER
VERNON W. WEBER
HAROLD L. BLAKE, *Chairman.*

MR. HAROLD L. BLAKE: Mr. President, since we have no recommendations to make, I move that the report be accepted and printed in the Journal.

PRESIDENT BOND: The written report has been filed without recommendations, and the Chairman of the Committee has asked that this written report be published in the Journal. All in favor of that motion signify by saying "aye." Contrary? Motion is carried.

If anybody has any remarks to make, don't hesitate, because I will recognize you and you may say whatever you want to. However, I am trying to save time because I know you are ready to leave.

Now, we have another committee that isn't a new committee this year, but it is an important committee. Ora McClellan is Chairman of the Committee on Relations with Lay-

Adjusters, and he has done a good job. There has been handed around to you a resume of some of the things in connection with the work this committee has done. Judge McClellan, are you ready to make your report?

JUDGE MCCLELLAN: I am, sir. Mr. Chairman and members of the Association, I understand that the report of this committee has been mimeographed and handed around, and all of you have seen it. Unfortunately, I am chairman of a committee which does have some recommendations to make. Therefore, I expect I had better be as brief as possible and read this report.

RELATIONS WITH LAY-ADJUSTERS

Your Committee on Relations with Lay-Adjusters met with a Committee of the Kansas Claims Association, in Wichita, Kansas, on Friday, October 23, 1953, during the second annual mid-year meeting of Committees of the State Bar Association.

The Kansas Claims Association had, on June 5, 1953, adopted the Statement of Principles recommended by the Conference Committee of the American Bar Association on Adjusters.

As a result of the study of the relationship between the fields of adjustment of claims and the practice of law, your Committee agreed that laymen have a proper place in the adjustment of claims. Your Committee, having considered the business of adjusting insurance claims in its relation to the policyholder, the claimants, and the practice of law, recommends the adoption of the following statement of principles which it believes presents a correct description of certain of the rights of interested parties and the general public.

The insurance business operates under sanction of law for the protection of its policyholders and the public. The terms of insurance policies are nearly all upon standard forms adopted or approved by the state authorities in the interests of the public.

Your Committee believes that anyone who has, or thinks he has, a claim against a company, is entitled at all times to courteous, fair and just treatment from the representatives of that company. A claimant is entitled to an investigation of his claim and a reasonably prompt statement of the company's position with reference to it.

Your Committee recognizes that while the companies have a definite obligation to pay all just claims and to avoid all unnecessary litigation, they have an equally definite obligation to protect the insurance-buying public from increased costs due to fraudulent or non-meritorious claims.

Your Committee therefore recommends the adoption of the following principles governing relations with lay-adjusters.

1. Claims under insurance policies, for the purpose of this statement, are divided into two classes:

First—A claim in contract by a policyholder or beneficiary directly against the Insurance company which issued the contract.

Second—a claim of a third person in tort against the holder of a policy of liability insurance.

2. In the first class the claimant and the insurance company each has the right to discuss the merit of the claim with the other, and to settle it.

3. In the second class, under a policy by which the company insures the liability of the policyholder, it is recognized that the company has a direct financial interest in the claim presented against the policyholder, and in a suit in which the name of the company may not appear as a party litigant, but which the company is obliged to defend in the name of the policyholder. Therefore, the company has a right:

(a) To discuss with the policyholder or the claimant the merit of the claim, and to settle it.

(b) To investigate the facts, interview witnesses, appraise damages, consider and determine the liability of the insurance company and its policyholder in the factual circumstances.

4. In handling claims under the second class—

(a) The companies or their representatives will not advise the claimant as to his legal rights.

(b) The companies and their representatives, including attorneys, will inform the policyholder of the progress of any suit against the policyholder and its probable results. If any diversity of interest shall appear between the policyholder and the company, the policyholder shall be fully advised of the situation and invited to retain his own counsel. Without limiting the general application of the foregoing, it is contemplated that this will be done in any case in which it appears probable that an amount in excess of the limit of the policy is involved, or in any case which the company is defending under a reservation of rights, or in any case in which the prosecution of a counterclaim appears advantageous to the policyholder.

5. Under both classes of Claims—

(a) The companies will not deal directly with any claimant represented by an attorney without the consent of the attorney.

(b) The companies may properly interview any witness, or prospective witness, without the consent of opposing counsel or party. In doing so, however, the company representative will scrupulously avoid any suggestion calculated to induce the witnesses to suppress or deviate from the truth, or in any degree affect their free or untrammeled conduct when appearing at the trial or on the witness stand. If any witness so requests, at the time of making any written statement, or within a reasonable time thereafter, he will be given a copy of such statement.

(c) The companies or their representatives will not advise claimant to refrain from seeking legal advice, or against the retention of counsel to protect his interest.

(d) The companies will respect the disabilities of minors and incompetents, and agree that no settlement of a cause of action of an infant or an incompetent shall be presented to a court for approval, except under provision for an investigation of the propriety of the settlement either by the court or by counsel independent of the defendant.

(e) The companies will not permit their employees—whether laymen or lawyer —to collect for agents or policyholders claims or accounts in which the company has no interest.

(f) The companies recognize that the Canons of Ethics of the American Bar Association apply to all branches of the legal profession, and that specialists in particular branches are not to be considered as exempt from the application of those Canons.

(g) Lay-adjusters will only be permitted to fill in blanks of release forms previously drafted by counsel, and they will be forbidden to draft special releases called for by the unusual circumstances of any settlement. All such special releases shall be prepared by counsel.

(h) The companies will undertake to be responsible for the conduct of their employees in observing and executing the foregoing principles, and will endeavor to see that their representatives, other than employees, do likewise.

The foregoing are also the principles adopted by the Kansas Claims Association on June 5, 1953.

Your Committee recommends the continuation of a Committee on Relations with Lay-Adjusters for this association and further recommends that said Committee continue to meet for the further consideration of the foregoing matters, and of the problems not dealt with in this statement, and expresses the hope that all complaints of the conduct of lawyers or insurance companies in connection with claims under insurance policies may be referred to this Committee for its consideration.

Respectfully submitted,

AUBURN G. LIGHT
J. R. RHOADES
NORMAN JETER
DOUGLAS HUDSON, SR.
GEORGE B. POWERS, *Ex-Officio*
ORA D. MCCLELLAN, *Chairman.*

Mr. Chairman, I move the adoption of the committee report.

PRESIDENT BOND: That report, gentlemen, shows the amount of work this committee has done. It covers something that has been widely discussed among the lawyers, and for which there has been a real need in this sort of work. If there is any discussion, I will be glad to hear it.

FROM THE FLOOR: Mr. President, I would like to know from the chairman of the committee as to how, under Subsection 5 (d), there is going to be any "provision for an investigation of the propriety of the settlement either by the court or by counsel independent of the defendant." Does that mean in a friendly suit that completely independent counsel is to be hired?

JUDGE MCCLELLAN: I think what we have in mind there, and what that principle contemplates, is that where there are claimants who are minors or incompetents, that there will be a friendly suit, and that the counsel for the incompetent or infant will be represented by adversary counsel.

PRESIDENT BOND: Are there any further questions?

MR. HOWARD W. HARPER: I have a question which I discussed with George Powers down at Emporia a little bit, and that is the matter of a lay-adjuster advising as to the legal liability in a case. Now, it seems to me that this report, although dandy, does not touch that, and I would like to have it included that lay-adjusters should not discuss the question of legal liability, the application of statute and case law, to a claim unless they do so upon a full statement of the facts of the law applicable to the person with whom they are trying to settle.

JUDGE MCCLELLAN: Mr. Harper, I think we have covered that in our recommendations.

MR. HARPER: Where is that?

JUDGE MCCLELLAN: In 4 (a). "The companies or their representatives will not advise the claimant as to his legal rights."

MR. HARPER: I don't know whether that covers it or not. What his legal rights might be would be something on the one hand, and something else on the other hand as to what legal principles concern this particular action. Now, about a third of our work is with representatives of insurance companies, and I enjoy that employment very much. It is good employment and you deal with nice people, but it seems to me that on occasions lay-adjusters sometimes attempt to advise the prospective claimant, or a claimant who is about to be a prospective settlement claimant, "Well, you don't have any cause of action anyway. You are barred," and a lot of other things that they raise sometimes, and I am perfectly agreeable that that should be done, but I want it done on the advice of counsel for the company, with a full statement to the man with whom you are dealing.

PRESIDENT BOND: Don't you think, Mr. Harper, that question is answered here in 4 (a)? Don't you think that covers it pretty well? I can't see the distinguishment you are making.

MR. HARPER: Maybe you are right. You are wiser than I am.

PRESIDENT BOND: I don't make any claim to that sort of thing.

JUDGE MCCLELLAN: I might say that when this committee met, we had the learned and extensive advice of Mr. Douglas Hudson of Fort Scott, and he called our attention to the Missouri case in which these principles are rather clearly enunciated as to what a lay-adjuster may or may not do, and these principles followed the law as recognized by the courts of the country in relations between the members of the bar and laymen who are adjusting claims.

PRESIDENT BOND: Is there any further discussion?

MR. BERT E. CHURCH: I would like to make an inquiry and a suggestion with reference to paragraph 5 (b), the last sentence, which reads: "If any witness so requests, at the time of making any written statement, or within a reasonable time thereafter, he will be given a copy of such statement." Now, the situation we lawyers find ourselves in frequently is that by the time we are retained, our client has given a statement to some representative of the insurance company and he doesn't have a copy, and of course, we know as a practical matter that in most instances they will not question it, and the insurance company representative will not suggest that he make that suggestion or requirement, so a motion to amend is in order. I would like to move that that sentence be

amended by striking out parts of it to make it read: "At the time of making any written statement, the witness will be given a copy of such statement." I feel the witness should be given a copy, whether he requests it or not, for the benefit of the lawyer who may come into it later.

PRESIDENT BOND: As I understand the proposed amendment, Mr. Church merely asks that we amend that provision so that it is the duty of the insurance adjuster to turn a copy of the statement that is made over to the witness, even though it is not requested.

JUDGE MCCLELLAN: Mr. President, I would like to be heard on that. I believe it is better the way it is, for this reason: Many times I think that lets the insurance companies out. They will immediately give your client, or the witness, a copy of the signed statement, which he will lose, and then they are under no obligation to furnish him another statement when, six months or two years later, he comes to see you. They may have given him a copy and they perform their duty under your amendment, and you can't, within a reasonable time, ask them to give a copy of the statement to you. I think it is better the way it is.

MR. CHURCH: May I inquire, Judge, who is to interpret what a reasonable time is in making the inquiry and request?

JUDGE MCCLELLAN: Well, I will admit that language is a little loose. I think it could be tightened up some, but I do believe it is better as it is than the way you want to amend it. I think that we could easily say that a reasonable time is any time before the trial of a lawsuit.

MR. DOUGLAS HUDSON: I think that is true, Mr. President. That phraseology that appears in the report is the phraseology which the appropriate committee of the American Bar Association after many sessions with the representatives of the lay-adjusters, have worked out, and I think that the practice of the insurance companies, under this statement of principles, is to send a copy of any statement at any time that it is requested. I am sure that is the way it has been construed generally throughout the United States.

PRESIDENT BOND: Thank you, Mr. Hudson. Is there a second to Mr. Church's proposed amendment? I don't know that he wants to urge the amendment after hearing what the Chairman of the committee and Douglas Hudson have said.

MR. J. E. DUMARS: I will say this in response, Mr. President. I never yet have had an insurance company send me a copy of any of those statements. In my ignorance, I must ask a question: What is the Kansas Claims Association?

JUDGE MCCLELLAN: The Kansas Claims Association is an association of laymen and lawyers who are engaged in adjusting claims for insurance companies in all kinds and all branches of insurance.

MR. DUMARS: Has it any reference to any particular participant in the suit, that is, plaintiff of defendant?

MR. GEORGE B. POWERS: At one time there arose a dispute between some lay-adjusters and certain members of the bar. At that time there was no organization which could speak for the lay-adjusters, and when some of the lay-adjusters came to us, we said, "You really have no right to raise any issue unless you have an organization to which your people will be responsible. So they got busy and organized such a group, and they are

to have their second convention in Kansas City in May. They have formed a responsible group, I feel, of lay-adjusters and lawyers who are in the adjusting field in all lines of insurance, with the idea of having an organization to which they can make their members responsible, as we do our lawyers. Then the Executive Council appointed their special committee to meet with their group to work out a set of principles which they could enforce for their own members, and this is the result of it.

MR. DUMARS: Is it the purpose, then, to embody later these suggestions into a statute?

MR. POWERS: I don't know, but there was no measuring stick by which their group could say, "You have violated the Canons of Ethics," or not. The American Bar had, by a special committee, agreed with the National Organization of Lay-Adjusters on the Canons of Ethics with which they are to comply. On a state level we now have a special committee of our Bar and a special committee of theirs, and they have at least agreed upon this as the yardstick with which they hope to enforce some ethical standard in their own state.

MR. J. ASHFORD MANKA: In subparagraph 5 (e), it states: "The companies will not permit their employees—whether laymen or lawyer—to collect for agents or policyholders claims or accounts which the company has no interest."

PRESIDENT BOND: I think it should read: . . . in which the company has no interest."

MR. MANKA: Does that mean that a subrogation claim cannot be pursued by the company's attorney and seek perhaps $50 or $100 for the policyholder, along with the general damages?

JUDGE MCCLELLAN: That is correct. They may not do that without the permission and consent of the policyholder.

MR. MANKA: I would move that that should be amended to include "without employment by the policyholder."

PRESIDENT BOND: Just a moment. I never heard a second to Bert Church's proposed amendment. I don't know whether you want to push that amendment now or not, Mr. Church, but it dies for want of a second.

MR. CHURCH: Judge McClellan suggested that it might well be amended to provide that the request might be made at any time prior to trial. Now, if that could be incorporated, I think that would satisfy most of the lawyers.

JUDGE MCCLELLAN: Let me make this suggestion. Since we have gone over these principles and carefully considered them—and you know how it is when you start amending these rules—I think that the amendments may be worse than the committee's report. I would suggest this: That the report as made this year be adopted and that the committee be continued and further study be made, so that if these principles do need clarification or modification, then next year at the annual meeting the committee may make its supplemental report and then consider the modifications, amendments and changes.

PRESIDENT BOND: The Chair would like to say a word. John DuMars' question was a good one, but it is just like establishing ethics in any other profession. This is a beginning and if we can work out a workable arrangement with the insurance company attorneys, lay-adjusters and representatives for the protection of the law and our profession, then it should be done. As Judge McClellan said, this is a beginning, and it is a

very fine beginning in the short length of time that they have been working on it. Of course, it is perfectly within the rights of you gentlemen in proposing these amendments, but the committee feels that they don't want to make a change or consent to an amendment at this time. However, they would be glad to have your suggestions, under the proposal that the committee will continue, and at the next meeting of the Association, possibly we will have some amendments. If you want to present your amendments, though, you have that right.

MR. HARPER: It seems to me that this is a dandy arrangement. If it develops that Doug is wrong about this, and some lawyers make request of the insurance companies and they don't want to furnish the statements, we can talk about it next year. That is a wonderful thing in my judgment.

PRESIDENT BOND: That is what I understood Judge McClellan to suggest.

MR. RICHARD HICKEY: Out in our part of western Kansas, we are not having trouble with the insurance companies not furnishing copies of the statements. We are having trouble with some of the plaintiff attorneys getting the statement before the insurance company can get there, and then not furnishing copies to the attorneys for the insurance companies.

PRESIDENT BOND: There are two sides to the question, that is true. Unless there is further discussion, there is nothing before the house except the motion of Judge McClellan, as Chairman of the committee. All in favor, signify by saying "aye." Contrary? Motion is carried. I am glad to see that discussion because I knew that was a matter of considerable interest for the Bar. I think this is a very fine start on this problem.

The next committee is the Committee on Relations with the Medical Profession. Henry E. Martz of Wichita is Chairman. Henry is not here, but I talked to him yesterday and he said they have no recommendations, that the committee's work had been done pretty well in previous years and that he wouldn't have any committee report to make that might raise any controversy. It will therefore be printed in the Journal.

RELATIONS WITH MEDICAL PROFESSION

G. S. 1949, 60-2805, provides generally that a physician or surgeon shall be incompetent to testify concerning any communication made to him by his patient with reference to any physical or supposed physical disease, defect, or injury, or the time, manner or circumstances under which the ailment was incurred, or concerning any knowledge obtained by a personal examination of any such patient, without the consent of the patient.

It is further provided that if a person without objection on his part testifies concerning any such communication, the physician communicated with may also be required to testify on such subject as though consent had been given within the meaning of the statute.

The Supreme Court has held that since communications between physician and patient were not privileged at common law, the statute will be strictly construed in favor of competency of the witness. The privilege granted to the patient is personal, to be taken advantage of if he sees fit. Where the plaintiff takes the stand and makes a full

disclosure of his physical condition, no occasion exists for further protecting the communications made to his physician, and the veil of secrecy having been lifted, there is no longer any confidential feature in the case or in subsequent proceedings in the case. This is based on the theory that the voluntary giving of testimony by the plaintiff implies a waiver. See *Armstrong v. Street Railway Co.*, 93 Kan. 493, 144 Pac. 847. A later case holds that since the privilege is plainly that of the patient and not of the physician, if the patient abandons it, the physician can not claim it. See *Doty v. Crystal Ice & Fuel Co.*, 118 Kan. 323, 235 Pac. 96.

The rule has been liberalized somewhat in *In re: Estate of Smith*, 168 Kan. 210, 212 P. 2d 322, wherein a physician was permitted to testify to impressions he obtained from social conversations he had with the patient, the opinion holding that since the information was not obtained in line of professional employment and was obtained outside the course of professional service, it was not confidential and not within the ban of the statutes; the theory being that the statute pertains to matters germane to the physician's diagnosis and treatment of the patient, and not to matters wholly unrelated thereto. See, also, *State v. Aguirre*, 167 Kan. 266, 206 P. 2d 113, and *State v. Townsend*, 146 Kan. 982, 73 P. 2d 982.

It is interesting to note that a certificate of death, being a matter of public record, is no longer treated as privileged. The certificate once introduced in evidence is subject to attack and proof as to what the real facts were concerning the death, and the doctor who made the certificate is permitted to so testify. See *Kirsch v. Federal Life Ins. Co.*, 149 Kan. 309, 87 P. 2d 591.

The statutory privilege of the patient has been extended to the heirs of the patient, his personal representatives and the beneficiaries in a life insurance policy. See *Gorman v. Hickey*, 145 Kan. 54, 64 P .2d 587; *Linscott v. Hughbanks*, 140 Kan. 353, 37 P. 2d 26; *Novak v. Chicago Fraternal Life Ass'n*, 136 Kan. 609, 16 P. 2d 507; *Fish v. Poorman*, 85 Kan. 237, 116 Pac. 898; and *Bruington v. Wagoner*, 100 Kan. 10, 164 Pac. 1057.

The provisions of G. S. 1949, 60-2805, have no application in the trial of Workmen's Compensation cases. See *Doty v. Crystal Ice & Fuel Co.*, 118 Kan. 323, 235 Pac. 96. G. S. 1949, 44-515, gives the employer in a Workmen's Compensation case the right upon request to have the injured employee examined at intervals during the pendency of his claim, not oftener than twice in any one month, unless in accordance with orders of the Commission. The courts have held that the provisions of the statute are part of the contract of employment and are binding alike on employer and employee, and hence G. S. 60-2805 has no application. The same rule applies in many other states. The Workmen's Compensation statute seems to be the only statutory authority in Kansas to require an injured person to submit to a physical examination.

Our courts have inherent power after a pending case is at issue to require the plaintiff to submit to a physical examination. The plaintiff in this instance is not required to give the examining physician a history or information of any kind or character. See *A. T. & S. F. Ry. Co. v. Thul*, 29 Kan. 466, 4 Pac. 352; *Ottawa v. Gilliland*, 63 Kan. 165, 65 Pac. 252; *Dickinson v. Railway Co.*, 74 Kan. 863, 86 Pac. 150; *Jerabek v. Safeway Cab*, 146 Kan. 859, 73 P. 2d 1097; *Landis v. Street Railway*, 110 Kan. 205, 203 Pac. 1109.

The appointment of a neutral physician or medical commission to examine the plaintiff

to determine the nature and extent of the injuries is within the sound discretion of the trial court. See *Jerabek v. Safeway Cab.*, 146 Kan. 859, 73 P. 2d 1097; *Landis v. Street Railway*, 110 Kan. 205, 203 Pac. 1109; *Fritchman v. Chitwood Battery Co.*, 134 Kan. 727, 8 P. 2d 368.

Under our law the plaintiff and his attorney are not entitled to a copy of the written report of the examining physician. In the State of Florida, and perhaps in other states, the defendant in a personal injury action may properly be ordered by the court in the interest of substantial justice and fairness to deliver to the plaintiff a copy of the examining physician's report made prior to the trial.

Under Rule 35 of the Federal Rules of Civil Procedure, in an action in which the mental or physical condition of a party is in controversy, the court may order him to submit to an examination. This order must be made on motion, and, if requested by the person examined, the party causing the examination to be made shall deliver to the person examined a copy of the written report of the examining physician setting out his findings and conclusions. After such request and delivery the party causing the examination to be made shall be entitled, upon request, to receive from the party examined a like report. Rule 35 further provides that by requesting and obtaining a report of the examination so ordered, the party examined waives any privilege he may have in that action, or any other involving the same controversy, regarding the testimony of every other person who has examined, or may thereafter examine him in respect to the same mental or physical condition.

It appears to this committee that the Federal Rule is fair to both parties to an action, and we, therefore, recommend it to the State Bar Association for whatever further action it may wish to take.

Respectfully submitted,

WILLIAM TINKER
J. SIDNEY NYE
HORACE H. RICH
GEORGE E. RAMSKILL
HERBERT DIETS
EDWARD CURRY
BLAKE A. WILLIAMSON
DONALD HICKMAN
HARRY O. JANICKE, *Ex-Officio*
HENRY E. MARTZ, *Chairman.*

PRESIDENT BOND: Now, this year, for the first time our Association officers have arranged for a committee to meet with the realtors, since the realtors have become professional men, really, by act of our legislature, and have become organized. We felt that some of the complaints that have been made by realtors would be eliminated if a committee from our Association could meet with the committee from the Realtors Association. Such a committee was appointed, and I think they have had some meetings. Mr. Garlinghouse, your report, please.

RELATIONS WITH REALTORS

Your Committee on Relations with Realtors met at Wichita on October 23, 1953. On March 27, 1954, your committee had a joint meeting with the committee appointed by, and representing, the Kansas Association of Real Estate Boards. The joint committees

recommended that the Bar Association of the State of Kansas and the Kansas Association of Real Estate Boards adopt resolutions containing a statement of principles, similar to the resolutions heretofore adopted on the national level, as follows:

"Whereas, it is not the province of the realtor to engage in the practice of law, nor of the lawyer to engage in the real estate business, nor is it in the interests of the public that they should do so; and

"Whereas, it is in the interests of the realtor, the lawyer and the public that a statement of principles be made, adopted and disseminated to the lawyers and the realtors in the state of Kansas.

"Now, therefore, be it resolved that the following be adopted and announced as a statement of principles:

"1. The realtor shall not practice law or give legal advice directly or indirectly; he shall not give advice or opinions as to the legal effect of legal instruments, nor give opinions concerning the validity of titles to real estate, and he shall not prevent or discourage any party to a real estate transaction from employing the services of a lawyer.

"2. The realtor shall not undertake to draw or prepare documents fixing and defining the legal rights of parties to a transaction. However, when acting as broker, a realtor may use an earnest money contract form for the protection of either party against unreasonable withdrawal from the transaction, provided that such earnest money contract form, as well as any other standard legal forms used by the broker in transacting such business, shall first have been approved and promulgated for said use by the Bar Association and the Real Estate Board in the locality where the forms are to be used.

"3. The realtor shall not participate in the lawyer's fees.

"4. No lawyer in rendering professional service should for any reason other than in the interests of or for the protection of his client express an opinion discouraging the consummation of a real estate transaction, where the parties have been brought together by the real estate broker.

"5. The lawyer shall not participate in the realtor's commissions.

"6. A lawyer who engages in business activities ordinarily undertaken by a realtor shall qualify under the Real Estate License Law of this state, when his business activities are such that qualifications would be required if he were not a lawyer."

It is further recommended by your committee that the Bar Association of the State of Kansas and the Kansas Association of Real Estate Boards continue through committees appointed by each organization to study the problems of realtors and lawyers with a view of making the relationships between lawyers and realtors more harmonious, to eliminate detrimental practices and to consider what, if any, action should be taken with reference to expert testimony concerning real estate value, particularly in condemnation proceedings.

Respectfully submitted,

LESTER L. MORRIS
T. M. VAN CLEAVE, JR.
H. NEWLIN REYNOLDS
FRED R. VIEUX
ROBERT H. ROYER
ROY V. NELSON
RICHARD L. BECKER
O. B. EIDSON, *Ex-Officio*
WENDELL L. GARLINGHOUSE, *Chairman.*

MR. WENDELL L. GARLINGHOUSE: Mr. President, I move the adoption of this report.

PRESIDENT BOND: It is very gratifying to the officers of this Association to find a new committee, appointed for the first time this year, come forward with as fine a report as that. Like the Lay-Adjusters Committee report, it is a beginning. This is the first year for this committee, and I want to congratulate the committee and express my appreciation for its fine report. Now, are there any suggestions?

MR. E. C. FLOOD: I presume this is regarded simply as a declaration of principles and can't go into details, but in our practice we find that, repeatedly, clients come to us with a deed that has been prepared in joint tenancy. They don't have the least idea of the ordinary implications of a joint tenancy. I think that is one of the things that might be well for this committee or its successor to consider. That is one of the things, at least out in our part of the country, that we find repeatedly. They say to us, "Why put it this way, because the real estate man who handled this deal said that everybody was doing that, and it was a good thing to do, and we wouldn't have any trouble if one of us would die," and so forth.

PRESIDENT BOND: Don't you think that the report covers that, wherein it states: "The realtor shall not undertake to draw or prepare documents fixing and defining the legal rights of parties to a transaction"? Now, I might say for your information, Mr. Flood, I was invited—I presume because I was President of the Bar Association—to a meeting of the Wichita Realtors Association. There was a big crowd and I made a talk, and needless to say, talked in part about realtors drawing joint tenancy deeds. The talk was well received, although I didn't say very much. I don't mean to say the talk was any good, but it was well received, and some realtors there that I know to be honest came forward and said they never did know about the effect of joint tenancy deeds, and they were not going to draw any more. This committee's work, I think, Mr. Flood, probably covers that.

MR. FLOOD: If they send that out to all of the organizations and suggest that it not be done.

PRESIDENT BOND: I have already had a meeting with the El Dorado-Butler County Realtor Board, and if any member of this Bar, when you go home and when this report is printed in the Bar Journal, could call a meeting or ask to be permitted to come before the Realtors Board, it would do a lot of good.

MR. PAUL R. WUNSCH: This is a joint resolution. Until the realtors adopt it, this will not be binding upon them, and they have not done so, have they?

MR. GARLINGHOUSE: I should have commented on that before I sat down. We hope to have information as to whether or not the Board of Directors of the State Real Estate Board will approve this and would recommend it to their convention. However, as of today, I have not received that information. I am glad you brought that up. The realtors, as far as I know, have not acted on this. However, the members of their committee were of the unanimous opinion that they would act upon it. Your point is well taken. I am glad you raised the question, and I am sorry I overlooked it.

PRESIDENT BOND: Somebody has to adopt the resolution first, I presume.

SENATOR WUNSCH: I take it we can't inform our realtors that they are bound by this until they adopt it.

PRESIDENT BOND: I think the point is well taken. We have the assurance of the committee of the realtors that they approve of this language. I think your point, though, is well taken. Senator.

If there are no further questions or remarks, all in favor of the motion as stated, adopting this report, signify by saying "aye." Contrary? Motion is carried.

These committee reports being made now seem to me to be quite vitally important to a lawyer. Here's another one, and I know that this committee has done a great work. This is a new committee. At lot of attorneys are complaining about trust bankers and other bankers who act as attorneys, so we had a committee appointed to meet with the trust bankers. Henry V. Gott of Wichita was selected as Chairman of this committee, and I have had correspondence with him and conversations with him, and I know of that committee's work. Mr. Gott, are you ready with your report?

MR. HENRY V. GOTT: Mr. President, and fellow members of the Association, we have a written report and it will be filed, but I am not going to read it. I ought to say I think that it has been a very great pleasure to serve on this committee, and one of the reasons for it was the fine, cooperative spirit that the Trust Bankers Committee has exhibited. I think that is largely due to the fact that the Chairman of that committee is William H. Vernon, Jr., son of our own "Bill" Vernon, who has long been a distinguished member of this Association, and who, in his own right, is a lawyer, but who is now a banker and vice-president of the American National Bank of Hutchinson, Kansas. It has been wonderful working with men who are as agreeable as these men are.

We have one recommendation to make, and I want to get into that immediately. We are recommending that this Bar Association approve the statement of policies which was adopted by the National Conference Group back in 1941. Now, the National Conference Group consisted of a committee of five from the American Bankers Association Trust Division and the American Bar Association. We had a joint session at the mid-year session of the Bar Association at Wichita last fall, and we have had a great deal of correspondence since that time. Incidentally, I might say here I think we were truly instrumental in solving a great many controversial questions which have arisen between members of our Association and the trust bankers during the year. We did most of that by way of correspondence. But this statement of policies which was handed out to you, and which you probably haven't had much chance to study, I might say, was adopted by both committees unanimously at our joint session, and we both resolved to recommend to our respective associations that they adopt this statement. The fact is, I was surprised when I found out that neither the State Bankers Asociation, Bank Trust Division, nor the State Bar Association had adopted it, although it had been adopted long ago by the national groups in the National Bank Association and the Bar Asociation. So the trust bankers did adopt this statement, ladies and gentlemen, at their annual meeting at Lawrence on March 30th, and we don't have the situation here, Senator Wunsch, that you raised in regard to the other committee. Now we are recommending that this Bar Association adopt it.

I might say to you that the other members of this committee are: M. F. Cosgrove, Carl V. Rice, Kirke C. Veeder, Max Wyman, and Wesley E. Brown as Ex-Officio.

I think perhaps I should read the four or five clauses of this statement. The first two paragraphs, you will note, are largely preamble, and the last part is a recommendation that the respective state associations of the two groups adopt this statement. It seems to me, ladies and gentlemen, that by the adoption of this we will solve most of our problems and controversies which arise between our mutual organizations. The fact is, the basis of this statement is that we both have a common interest to perform, and common services to perform, to a certain extent, to the public, and we ought to do everything so that we will not have a bad feeling or misunderstanding.

RELATIONS WITH TRUST BANKERS

The Committee on Relations with Trust Bankers was appointed last June by President Bond at the suggestion of the President of the Kansas Bankers Association—Trust Division, in order that it might discuss matters of mutual interest with a committee to be appointed by the Trust Division of the State Bankers Association. Since lawyers and trust bankers have much in common in connection with the preparation of wills and trust agreements and the administration of estates, we hope such a committee will justify its existence.

The chairman of the Trust Bankers' Committee, Wm. H. Vernon, Jr., a lawyer himself, but who is now Vice President of the American National Bank of Hutchinson, Kansas, is the son of "Bill" Vernon of Larned, a distinguished member of this Association. He is entirely familiar with the lawyers' problems, as well as those of the trust banker, and we have found him and his committee always cooperative and friendly.

Our respective committees held a joint meeting at Wichita last October, during which many mutual problems were considered. The practice of banks employing as attorney for the estate the attorney who drew the will rather than using the bank's regularly retained counsel was fully discussed. It was unanimously decided, that in the absence of unusual circumstances, the attorney who drafted the instrument should represent the bank in the administration of the estate. It was the opinion of the joint meeting that the Trust Division of the Kansas Bankers Association should advertise in the Kansas Bar Association Journal and also exhibit at the Annual Meeting of the Kansas Bar Association advertising material used by Trust Departments, much of which emphasizes the need of lawyers' services in the preparation of wills, trust instruments, and estate planning. It was the consensus of opinion that much could be done on the local level to improve the understanding and good will between members of the bar and the trust bankers.

Many matters of a more general nature were discussed at this joint meeting and it was the unanimous opinion of the members of both committees that further meetings between the two groups should be arranged and that similar committees should be appointed from the two associations in the future.

Perhaps the most important action taken at the joint committee meeting, was the

unanimous approval of the "Statement of Principles" which was adopted in September 1941 by the National Conference Group formed by the American Bar Association and the American Bankers Association—Trust Division, a copy of which "Statement" is by reference thereto made a part of this report. This "Statement" was approved by the Trust Division of the American Bankers Association on September 29, 1941, and by the American Bar Association on October 1, 1941. It was the further opinion of the joint committees that our respective state organizations should be requested to approve this Statement of Principles. We are now informed that the Kansas Trust Bankers' organization unanimously adopted the "Statement" at its Annual Meeting in Lawrence on March 30, 1954.

The basis upon which the Statement of Principles rests was set forth by the National Conference Group in a meeting at Cleveland in September 1947 as follows:

> "Attorneys and corporate fiduciaries have a recognized common interest in serving the public. This interest is best promoted by the establishment of friendly relationships between the two groups and by the avoidance of controversies and misunderstandings."

It is the belief of the members of this Committee that if the policies set out in the "Statement" are understood and practiced by the members of our Association and the Trust Bankers Group, that we will greatly minimize if not entirely eliminate the many controversies that have been in the past the source of much grief. It is, therefore, the recommendation of this Committee that this "Statement" be approved by this Association and thereafter published in the Journal.

Although our committees have had only one joint meeting, there has been a continuous interchange of correspondence between them, through which much good will and understanding has come.

Respectfully submitted,

M. F. COSGROVE
CARL V. RICE
KIRKE C. VEEDER
MAX WYMAN
HENRY V. GOTT, *Chairman*
WESLEY E. BROWN, *Ex-Officio.*

The following is the "Statement of Policies adopted by the National Conference Group formed by the American Bar Association and the American Bankers Association Trust Division."

"Trust institutions are corporations engaged in the business of administering estates and trusts and in other trust activities, and acting as agents in all appropriate cases. Legal services are required in connection with many phases of trust business. Trust institutions are not authorized to engage in the practice of law. For the protection of the public and in aid of the administration of justice, the practice of law has, by the courts and legislatures, been delegated and restricted to attorneys at law, members of the bar. Attorneys at law constitute a professional group that performs essential legal functions in the conduct of trust business, and have a community of interest with trust institutions in the common aim of service to the public.

"It is in the interest of the public that proper principles, with respect to functions of trust institutions in relation to the practice of law and to functions of attorneys at law with relation to trust business, be set forth and agreed upon by trust institutions and members of the bar to guide trust institutions and attorneys at law alike in their important relationships in this public service and as a basis for agreements between institutions and groups or associations of attorneys at law. Therefore, to that end, the following declaration of policies is adopted by the National Conference Group, a joint Committee of the American Bar Association and the Trust Division of the American Bankers Association.

"(1) Trust institutions should neither perform services which constitute the practice of law nor otherwise engage in such practice; therefore, they should not draw wills or other legal documents nor perform services in the administration of estates and trusts where such acts by law or local procedure are considered the practice of law.

"(2) The development of trust business by a trust institution should be on the basis of assistance to the customer in the use of the institution's trust services and facilities as related to his business or financial matters. In all legal questions which may arise in the development of trust business, the trust institution should advise the customer to confer with his own lawyer or a lawyer of his own choosing.

"(3) The trust institution should respect and not interfere with the professional relationship existing between an attorney and his client, and an attorney should respect and not interfere with the business relationship existing between a trust institution and its customer. It is recognized, however, that in all cases the interest of the client is paramount. An attorney at law must reserve the right to advise his client with respect to the choice of a fiduciary. The attorney should not seek to displace the institution of the client's choice by inducing the appointment of some other institution or individual unless the attorney believes the client's affairs demand services peculiar to some particular institution or individual, or where the attorney believes that the true interest of the client will suffer if such substitution is not made.

"If the trust institution is requested by its customer to recommend counsel, any counsel so recommended should be in a position to advise the customer disinterestedly, and it is preferable that the trust institution, when making such recommendations of counsel to its customer, submit, without recommending one above another, the names of several attorneys in whom it has confidence, leaving the choice of the selection to the customer.

"(4) A trust institution, qualified and authorized by law as a legitimate business enterprise, has an inherent right to advertise its trust services in appropriate ways. It should not directly or indirectly offer legal advice or render legal services, and there should be no invitation to the public either direct or by inference in such advertisement, to bring their legal problems to the trust institution. Its advertisement should be dignified and the qualifications of the institution should not be overstated or overemphasized, and it should not be implied in any advertisement that the services of a lawyer are only secondary or ministerial, or that by the employment of the services of the trust institution, the employment of counsel to advise the customer is unnecessary.

"(5) In the employment of counsel, the trust institution should endeavor, in the absence of compelling reasons to the contrary, to engage the attorney who drew the instru-

ment, or who represented the testator or donor, to perform any legal work required in the course of trust or estate administration.

"The National Conference Group hereby recommends to state and local bar and trust organizations the creation of joint conference committees, composed equally of representatives of trust institutions and the bar associations, for the purpose of implementing and making effective the carrying out of these principles and the amicable and cooperative solution of disputes or misunderstandings in relation thereto.

"Dated September 27, 1941.

"Approved by Trust Division American Bankers Association, September 29, 1941.

"Approved by American Bar Association, October 1, 1941.

"Approved by Kansas Trust Bankers, March 30, 1954."

MR. GOTT: Mr. President, I move the adoption of the report and the adoption of the statement of policies.

(Motion seconded, and carried.)

PRESIDENT BOND: That is a very fine job by your committee, sir.

Now, the next committee is one of great importance to the lawyers. I know this committee has done a lot of work, and I assume it has a report. Wilbur Jones is Chairman of the Committee on Standards for Title Examinations.

MR. WILBUR H. JONES: Members of the Association, I think the report of this committee has been mimeographed and some copies were distributed yesterday. Others were distributed this morning, and I think some have been made available this noon.

I would like to acknowledge the services of these individual committee members: Mr. Hugh Brownfield, Mr. Auburn G. Light, Mr. L. E. Weltmer, Mr. Lloyd H. Ruppenthal, Mr. John O'Brien, Mr. Frank Baldwin, Mr. H. R. Branine, Mr. James A. Williams, and Miss Margaret McGurnaghan. This has been a working committee. They reported in Wichita in practically full number, and they spent the mid-winter conference in putting in a full day's work. They reported in Topeka the day preceding this Convention, and again, they put in a full day's activity.

The work of the committee was assisted materially by many of the members who, during the year, submitted problems. You also submitted briefs, and from your suggestions and your problems, we had for discussion many proposed Standards for Title Examinations.

Now, I am perfectly willing to read these three pages of recommendations. I should like, however, to comment that of the recommendations, nine deal with Standards heretofore adopted by this Association. The first nine that appear in your printed recommendations were adopted by the unanimous vote of all members of the committee. If any member had a dissenting voice as to any proposed amendment, deletion or modification, we immediately disregarded the suggestion. So I can say that the nine recommendations first listed do represent the unanimous thinking of the members of this committee. There is not, I might say, in my opinion, any extreme change from the Standard as first adopted. We attempted, however, to clarify and to strengthen the Title Standards. Now, I am willing to present these, if you prefer, one at a time.

PRESIDENT BOND: I believe that is the proper way to present this particular report. All of you, I take it, have a copy of this report.

STANDARDS FOR TITLE EXAMINATIONS

Your Committee submits the following recommendations numbered one (1) to nine (9) inclusive for modification, amendment or deletion of Title Standards heretofore adopted by the Bar Association. A further recommendation numbered ten (10) is submitted for adoption as a new Title Standard pertaining to marketability of titles arising out of joint tenancy.

RECOMMENDATION NO. 1.

Standard (1) on Conveyances, page 8.

(1) QUESTION: The title rests in a corporation which later conveys and the deed on its face is regular. What information should we have before accepting such a deed as to whether or not the corporation is still in existence? Should we take the record as it is?

ANSWER: If a client is purchasing property from a corporation, the title examiner should inquire as to its authority to convey. If a corporation deed is of record in the chain of title, it should be accepted as it is. In the absence of any evidence to the contrary, it should be assumed when a deed is properly executed in the name of the corporation that the corporation is legally existing.

It was recommended that the Standard be amended to read as follows:

"If a client is purchashing property from a corporation, the title examiner should inquire as to its authority to convey and unless such sale involves a disposition of all or substantially all of the corporation's property and is subject to the provisions of G. S. 1949, 17-3801, et seq. accept conveyance executed by the officers authorized to act on behalf of the corporation (G. S. 1949, 17-3001, 3007). If a corporation deed is of record in the chain of title, it should be accepted as it is. In the absence of any evidence to the contrary, it should be assumed that when a deed is properly executed in the name of the corporation that the corporation is legally existing."

RECOMMENDATION NO. 2.

Standard (5), Heirs at Law, page 10.

(5) QUESTION: A deed was executed, say fifteen or twenty years ago, and contains a recital that the grantors are the only heirs at law of the title holder of record. Taking into consideration that the words "heirs at law" have different meanings in different states, should the examiner take the title with this recital (whether or not the record owner was a resident of Kansas) or should he require that the title be quieted?

ANSWER: The title should be quieted. The deed is simply acknowledged and the recitals in it are not made under oath.

It was recommended that the Standards be amended to read as follows:

"Do not accept the recitals as proving heirship. If the owner died more than one year prior to July 1, 1939, and his estate has not been administered, or, if administered, no proper finding of heirship has been made by the Court, title having

passed from his heir or heirs at law prior to July 1, 1939, a duly executed affidavit giving all the essential facts necessary to prove heirship and the devolution of the property to the heirs shall be considered sufficient, whether executed prior or subsequent to July 1, 1939. Otherwise, the descent of property should be determined under G. S. 1949, 59-2250, et seq. or the title quieted."

(The foregoing suggested in order to reconcile this Standard with Standard (1) A, page 33 and (1) B, page 34.)

RECOMMENDATION NO. 3.

Standard (1), Foreclosures, page 19.

(1) QUESTION: A mortgage is foreclosed by the executor or administrator or guardian of an estate. The fiduciary purchased in his own name at the sale. Should the examiner accept the title, and if so, how long ago should the transaction have occurred in order to be considered safe?

ANSWER: Ordinarily the title should be quieted. If the transaction were an old one and there was no danger of there being incompetents, the title could be passed.

It was recommended that the Standard be amended to read as follows:
"The title should be quieted."

See (Morrow v. Saline County Commissioners 21 K. 484); see also (Beeler v. Sims 91 K. 757 re marketable title based on adverse possessions.)

RECOMMENDATION NO. 4.

Standard (1), Guardians Ad Litem, page 21.

(1) QUESTION: What requirements should be made in cases where a guardian ad litem is not appointed in the case of the sale of real estate by the guardian?

ANSWER: None, unless the guardian has an adverse interest in the real estate or the real estate is a homestead.

It was recommended that the Standard be re-written as follows:
"If the guardian had some record interest in the real estate, or the real estate was a homestead or it appears from the face of the proceedings that the guardian had some adverse interest in the land, the title should be quieted."
(Citing 164 K. 179.)

RECOMMENDATION NO. 5.

Standard (1), Inheritance Taxes, page 22.

(1) QUESTION: Where should finding of the State Commission of Revenue and Taxation in regard to inheritance tax be filed when the Commission finds that there is no tax chargeable?

Section 79-1512, G. S. 1935, (Sec. 79-1512 G. S. 1949) provides when a tax is chargeable, certified copies shall be filed in the office of the county treasurer and in the probate court. In case no tax is chargeable, a certificate from the Commission filed in the office of the register of deeds is evidence that no tax exists.

But under G. S. 1945, Supp. 59-2249, (Sec. 59-2249 G. S. 1949) there may be an administration pending and if sections 59-2250 and 59-2251 are invoked, heirship cannot be decreed and interests assigned until a showing in regard to inheritance tax is made.

ANSWER: If the Commission finds no tax is due the certificate should be filed in the probate court as well as in the office of the register of deeds.

It was recommended that the Standard be amended to read as follows:

"If the Commission finds no tax is due, the Certificate should be filed (a) in the office of the Register of Deeds where there is an original proceedings before the Tax Commission under G. S. 79-1512; (b) in the Probate Court in cases of administration proceedings under G. S. 59-2249 and in decree of descent proceedings under G. S. 59-2250 and 59-2251; (c) in the District Court in cases where descent is determined therein."

[EDITOR'S NOTE: Floor amendment, see p. 83, post.]

RECOMMENDATION NO. 6.

Standard (1), Judgments, page 28.

(1) QUESTION: A default judgment is based upon publication service, with notice published three consecutive weeks, but specifying as time for filing answer a date which is less than forty-one days subsequent to the date of the first publication. No appearance is made by the defendants and judgment is entered on a date more than forty-one days subsequent to the first publication. Should such judgment be accepted and title based thereon approved?

ANSWER: Accept the judgment as being voidable only within the three-year statutory period, the service having been completed with the publication of three notices, the judgment is premature only in the sense that forty-one days were not allowed for answer.

It is recommended that said Standard be supplemented by adding thereto the following:

"If judgment is taken *less than* 41 days subsequent to the first publication, then the judgment should be considered void and the title rejected."

RECOMMENDATION NO. 7.

Standard (3), Children, page 36.

(3) QUESTION: G. S. 1945 Supp. 59-610 (59-610 G. S. 1949) (sec. 46 of Probate Code) provides that if after making a will the testator marries and has a child, by birth or adoption, the will is thereby revoked. If after making a will the testator is divorced, all provisions in such will in favor of the testator's spouse so divorced are revoked. Should after-born and after-adopted children be disinherited or the section amended?

ANSWER: That there be presented to the legislature an amendment worded similarly to that of Minnesota, providing as follows:

"If any child of the testator, including a post-humous child, born after the making of a will, or a child adopted by said testator after the making of such will, has no

provision made for him by the testator by will or otherwise, he shall take the same share that he would have taken if the testator had died intestate, unless it appears that such omission was intentional."

It is recommended that the question and answer set forth under the above numbered Standard be deleted from the Title Standards.

RECOMMENDATION NO. 8.

Standard (1), Soldiers and Sailors, page 47.

(1) QUESTION: What affidavits should be filed and orders entered for the purpose of obtaining judgments against defaulting defendants under the above act?

ANSWER: If the plaintiff knows that the defaulting defendant is not in the service, or that he is in the service: Affidavits showing such facts and the source of plaintiff's knowledge should be filed in each instance, and if such defendant is in the service an order of court should be obtained appointing an attorney to answer and represent him in the taking of judgment.

When it is not known whether or not the defaulting defendant is in the service: As he may be, affidavit showing the plaintiff does not know whether or not he is in the service should be filed, and application made for the appointment of an attorney to represent him. Then proceed with the taking of judgment as though he were in the service.

It is recommended that the last paragraph of said Standard be re-written, to read as follows:

"When it is not known whether or not the defaulting defendant is in the service and an affidavit of such showing is filed, an order of the Court shall be taken directing that the cause proceed to hearing and for entry of judgment, without the necessity of bond or appointment of attorney."

[EDITOR'S NOTE: Recommendation No. 8 referred to Committee for further study, see page 87, post.]

RECOMMENDATION NO. 9.

Standard (14), Foreign Will, page 43.

(14) QUESTION: What shall be the procedure under the code, when the title comes through a foreign will?

ANSWER: If the estate has been closed in the foreign jurisdiction, a duly authenticated copy of the will, the proceedings admitting it to probate and journal entry of final settlement and of discharge of the executor should be admitted to probate under G. S. 1945 Supp. 59-801. In addition there should be a showing in regard to inheritance tax due to the state of Kansas. If the testator left a surviving spouse, there should be a showing from the court of original jurisdiction whether such spouse accepted or renounced the provisions of the will in his or her behalf. The amendment to 59-801 provides that the probate court, upon the admission of such will, shall determine whether administration is necessary.

If the estate has not been closed in the foreign jurisdiction, the authenticated copy of the will should be admitted here, an administrator c. t. a. appointed and

ancillary proceedings had here.

It is recommended that the Standard be amended, (1) by striking the first ten words of the first paragraph of the Answer, and (2), by striking the second paragraph of Answer.

RECOMMENDATION NO. 10.

Marketability of Title.

(6) QUESTION: When shall the title of the surviving joint tenant be considered marketable?

ANSWER: When one year has elapsed after the death of joint tenant, and proof of death of such joint tenant has been made as provided in preceding Standard (3) or (4), the title of the surviving joint tenant shall be considered marketable.

Your Committee would acknowledge the valuable assistance of President Bond and of our Executive Secretary, John Shuart, in securing materials and making arrangements for the meetings of the Committee held in Wichita and at Topeka. We would also like to acknowledge the contributions made to the work of your Committee by many of the individual members of the Association.

Your Committee is of the opinion that the adoption of the recommendations submitted to this meeting of the Association will perhaps contribute in some small measure to the improvement of our Title Standards but they recognize that much remains to be accomplished such as re-numbering of Standards, the addition of annotations where possible and in other ways strengthening and making the Kansas Title Standards more forceful and of greater value to the attorneys.

Your Committee therefore moves the adoption of the foregoing recommendations numbered one (1) to ten (10) inclusive.

Respectfully submitted,

HUGH BROWNFIELD
AUBURN G. LIGHT
L. E. WELTMER
LLOYD H. RUPPENTHAL
JOHN O'BRIEN
FRANK BALDWIN
H. R. BRANINE
JAMES A. WILLIAMS
MISS MARGARET MCGURNAGHAN
D. B. LANG, *Ex-Officio*
WILBUR H. JONES, *Chairman.*

MR. JONES: The first recommendation, without reading it, deals with the execution of deeds by corporations. The former Standard was supplemented by incorporating therein the sections of our statute relative to conveyances by officers of the corporation, and embodying the consent of the stockholder upon action of the directors. In that Standard, as we suggest in the amendment, we have referred to the two sections of our Statutes relative to such execution.

Mr. President, I would move the the adoption of our recommendation No. 1, amending the Title Standard relative to the execution of deeds by corporations.

(Motion seconded, and carried.)

MR. JONES: Recommendation No. 2 deals with deed recitals, in matter of establishment of heirship. We have recommended a change in our former Standard. We do that in order to reconcile or tie in this particular Standard with subsequent Standards dealing with descent, determination of descent, and the proceedings for devolution of title. It doesn't materially change it. It makes acceptable any one of three procedures, rather than limiting procedure to the one that was made in the original recommendation.

Mr. President, I move the adoption of the second recommendation.

(Motion seconded, and carried.)

MR. JONES: Recommendation No. 3 deals with the foreclosure of a mortgage by the executor, administrator, or guardian. The former Standard adopted and now in existence is rather weak, we thought. The former Standard states that ordinarily the title should be quieted; however, if the transaction was an old one and there was no danger of there being incompetents, the title could be passed by the examiner. We felt that this is something that really could not be definitely determined, and we have therefore recommended that under such a state of facts that the quieting of title be required by the examiner.

Mr. President, I move the adoption of recommendation number three.

(Motion seconded, and carried.)

MR. JONES: Recommendation No. 4 has to do with the appointment of a guardian ad litem in case of the sale of real estate by the guardian. We have rewritten the Standard at this time, tightening it, and we now recommend that where the guardian has an actual interest of which you are advised, or the real property was a homestead, or where it appears from the face of the proceedings that the guardian had some adverse interest in the property, the title should be quieted.

Mr. President, I move the adoption of this recommendation.

(Motion seconded.)

MR. J. ASHFORD MANKA: I move that recommendation be laid on the table.

PRESIDENT BOND: I don't believe that is a proper motion.

FROM THE FLOOR: I move the adoption of it.

(Motion carried.)

MR. JONES: Recommendation No. 5 deals with the matter of the recording of the order of the State Tax Commission upon determination of tax liability. Our present Standard, I believe, requires that it be filed in two different places—in the office of the Register of Deeds and in the office of the Probate Court. We now recommend that instead of filing it in two places, that it will be acceptable if filed in any one of three places, namely: (1) in the office of the Clerk of the District Court in cases where descent is determined; (2) in the Probate Court in cases of proceedings had in that court, or (3) in the office of the Register of Deeds where proceedings are had with the Inheritance Tax Division of the State Commission of Taxation directly, and no proceedings are had in either court.

Mr. President, I move the adoption of recommendation No. 5.

(Motion seconded.)

MR. STEADMAN BALL: Perhaps there is a statement somewhere else in the regulations, but I am wondering whether this is limited to a finding of no tax. Suppose you have a finding of tax? Your return has to be recorded somewhere. Now, why shouldn't this be the same, whether there is a tax or no tax? I move this be amended to record the findings of the Commission, regardless of what they are, in these places.

PRESIDENT BOND: If the committee will accept that suggestion and amend the report accordingly, there will be no need of voting on the amendment. As I understand it, though, the Chairman can't speak for the committee.

MR. JONES: I doubt if I can. I see some members of the committee here, but perhaps it would be better to amend it.

PRESIDENT BOND: Do you wish to repeat the amendment that you have proposed?

MR. BALL: Yes, sir.

(Motion seconded.)

SENATOR WUNSCH: That might get us into some confusion. The law specifically provides that it must be filed in the County Treasurer's office. You have to file a copy in the County Treasurer's office and one in the Probate Court. We are going to get into a little confusion in that regard.

PRESIDENT BOND: Is there any further discussion?

MR. BALL: That is true, but it doesn't obviate the necessity for the other proceeding just because it is filed in the County Treasurer's office. That's just where you go to pay your bill, like any tax bill. That automatically is sent to the County Treasurer's office from the Commission.

MR. JONES: Yes, I think the statement on your receipt is returned to the Treasurer and a copy, if ordered, filed with the Probate Court. That does not apply on the order, however.

PRESIDENT BOND: Is there any further discussion on this proposed amendment? We will first vote on the amendment. All in favor of the proposed amendment as stated signify by saying "aye." Contrary? The amendment is carried. Now we will vote on the original motion as amended. All in favor of the motion signify by saying "aye." Contrary? Motion carried.

MR. JONES: The sixth recommendation deals with the matter of constructive service. We do have a Standard now which refers to a judgment based upon publication service where the notice was published the required number of times and the answer day was fixed less than 41 days, but the judgment was not taken until after 41 days had elapsed. I think our present Standard says under those circumstances the judgment, at most, would be voidable and not subject to collateral attack. However, inasmuch as so many questions concerning publication notices in which insufficient time for answer was allowed have come to the committee, we deemed it advisable to recommend that where a judgment is taken less than 41 days and the answer day is fixed at less than 41 days, notwithstanding the three publications, that the judgment should be considered void and the title rejected.

Mr. President, I move the adoption of this recommendation.

(Motion seconded.)

MR. RICHARD HICKEY: Is there any Supreme Court ruling on that, Mr. Jones?

MR. JONES: There is an early Kansas case, 28 or 29 Kansas, a divorce case, and it hasn't been subsequently cited, to my knowledge. That is my memory. I can't give you a citation.

PRESIDENT BOND: Is there any further discussion? All in favor of the motion signify by saying "aye." Contrary? Motion carried.

MR. JONES: Recommendation No. 7 deals with the deletion of something that now appears in the Standards as a Title Standard. Actually, it was a recommendation to the Legislative Committee for the adoption of certain legislation. It hasn't to do with what we think would be a proper subject as a Title Standard, and we are therefore simply recommending the Standard be deleted from our publication of Title Standards, as a matter of clarification, and I move the adoption that recommendation.

Motion seconded, and carried.)

MR. JONES: Number 8 has to do with the matter of appointment of an attorney for those who are in default in cases where the affidavit on file and the proceedings show that the plaintiff does not know whether such defendant is or is not in the military service. At the present time, I believe this Standard provides that under such circumstances, as well as when it is known he is in military service and such fact is shown, that an attorney should be appointed and, I presume, a bond filed. We are recommending that in those cases where it is not known whether the defendant is or is not in service, and an affidavit of such showing is filed, that an order of the court shall be taken directing that the cause proceed and default judgment be entered without the necessity of a bond or the appointment of a military attorney. I believe that corresponds to the Soldiers and Sailors Relief Act as amended, and I move the adoption of this recommendation.

(Motion seconded.)

MR. BALL: I hate to appear pestiferous, but is there an amendment to the Selective Service Act or the Soldiers and Sailors Civil Relief Act to the effect that you do not have to appoint an attorney?

MR. JONES: If I am not mistaken, the provisions of the Act are that where the defendant is in service and such fact is disclosed by an affidavit, the court shall appoint an attorney. I think the provisions of the Act then go on to say that if the fact of whether or not the defendant is in service is not known to the parties and an affidavit to that effect is filed, the court shall enter an order directing the judgment to be entered before the cause shall proceed to judgment. I don't think the appointment of an attorney is mentioned in connection with those defendants who are not known to be in service.

MR. BALL: I am not aware of such an amendment. It is very possible there is such an amendment, but we should be very careful on this sort of thing, it seems to me. If there is anything in that Act that could be construed as requiring the protection of an attorney, it is a simple matter to protect the situation.

MR. JONES: I might add, further, that I don't believe any member of the committee considered that the actual appointment of an attorney gave any protection whatever to

the defendant, whether he be in the service or not. I am sorry that we don't have that statute here, or that Act here; however, I don't recall that there was any provision for the appointment where it is not known. The only place where the appointment of an attorney is mentioned is where the defendant is in service and such fact appears from an affidavit in the case.

MR. BALL: The appointment was required, unless the Act has been amended, because in the original Act it says where he is in the service or where it is not known whether he is in the service. Now, if that has been amended, I stand corrected.

JUDGE LAWRENCE F. DAY: I believe that the Act provides that no judgment shall be taken unless an affidavit is filed stating whether or not a man is in military service, and that an attorney shall be appointed. I don't think you can get away from it. If they state he is not in service, of course, it is not necessary to appoint an attorney, but when the affidavit states, "I don't know whether or not he is in service," I think it is absolutely necessary that an attorney be appointed. That has been our rule up in the Atchison County District Court, gentlemen. I know some of you haven't followed it, and I think you are in error.

FROM THE FLOOR: If an affidavit is filed that he is not known to be in the service, and yet he actually is in the service and has 90 days in which to raise the question after he comes out, it looks to me like it is a dangerous thing.

MR. DOUGLAS HUDSON: Mr. Chairman, I want to speak in support of what Judge Day has mentioned. Now, as a matter of fact, after forty years of practice, I feel that the biggest contribution I have made in the practice of law is shutting the mouths of the unknown heirs who have been going about the country claiming to own this or that gentleman's land. You have no idea how a tiller of the soil rests uneasily at night, knowing that his unknown heirs are claiming to have some right, title or interest in, or lien upon, the premises which he has been tilling for many years, and I have shut the mouths of those boys, many of them, and have quieted the minds of these tillers of the soil. I consider it one of my greatest achievements. It used to cost $25.00, but we charge $100.00 now. But I am wondering. We have had considerable debate here about the Soldiers and Sailors Civil Relief Act, and it is generally considered in southern Kansas that if you appoint an attorney, you get no salvation by it. As I remember it, the Act provides that even though there is an attorney appointed, when the soldier comes back he has a breathing spell within which to assert his rights.

MR. JONES: That is right.

MR. HUDSON: So we don't appoint an attorney for this reason. After all, we only get $75.00, and if we appoint an attorney to represent these soldiers and sailors who may be in the picture, we have to divide that up with them, so we don't do it in all southern Kansas. I am sure that is true.

While I am on my feet, and with your kind indulgence, I want to tell you something further about southern Kansas.

PRESIDENT BOND: Brother Hudson, will you confine your remarks, please, to the case that is before the house?

MR. HUDSON: Well, I think I am speaking on the record, and we are speaking about fees now, are we not?

PRESIDENT BOND: It is a matter of interest to the assembly, I am sure.

MR. HUDSON: All right. Some two years ago, a lawyer friend of mine called me up from Kansas City, and he had a brother that was out in Johnson County, Kansas. He said his brother had a son who was about sixteen who had, in a moment of haste, married a 16-year-old daughter of another prominent citizen of Johnson County, and they wanted an annulment. They didn't want it up there because it would get in the Kansas City Star on acocunt of their prominence, and he wanted to know if we could arrange it. Well, now, on those deals I always talk to the District Judge. I never put anything over on the Court. I said, "I'll see about it." He said, "How much will it cost?" "Well," I said, it will be seven fifty for me and it will be two fifty for Harry Warren, who we will have to have as the attorney for the other side." And he said, "Doug, this is my brother," and he said, "would you charge a member of my family $750.00?" I said, "Elmer," I said, "we have an inviolable rule in our office that we will not stultify ourselves for less than $750.00." Well, I think that is apropos to the discussion. Thank you, very much.

PRESIDENT BOND: I think the story was worth it, Doug, and I am glad I didn't stop you.

MR. BALL: Mr. Chairman, we will even make Doug an honorary member of the Atchison County Bar Association if you want it.

PRESIDENT BOND: I would give that some thought, if I were you.

MR. BALL: We will take that chance. Perhaps I didn't say it in the right words awhile ago, but the original Act says unless your affidavit says that you know the defendant is in the service, you shall not enter a judgment until certain things are done. Now, what Doug Hudson says may be correct, in that these military defendants have some time after they get out to open it up, even though that is done, but the statute says the judgment shall not be entered until either an attorney is appoined or certain other things are done, and I don't think the law is any different in southeastern Kansas than it is in northeastern Kansas, and I think that it is required in every county in northeastern Kansas or in every county that I have had any connection with. I don't believe that we should pass a resolution that says you don't have to do what the statute says you have to do.

MR. JONES: Nobody would want a Standard adopted that would be in conflict with that law, if that is what it says, and for one, I am perfectly willing that the matter be deferred until the next meeting. I think, however, that you will find that among these other things to be done, either the attorney shall be appointed or the court shall enter an order for you to take a judgment if you have filed an affidavit stating that you don't know whether or not the defendant is in service. That, I think, is the other alternative, but I may be wrong.

MR. FLOOD: Mr. President, after the First World War there were some decisions that came out, and I think that it is still good law, that if the man wasn't, as a matter of fact, in the military service anyway, nobody was hurt and he doesn't have any rights, so maybe in 99 per cent of these cases that you have it is all a moot question, anyway. That takes care of a good deal of that.

PRESIDENT BOND: We will submit adoption of this recommendation No. 8 on the motion and let the assembly act upon it.

MR. GEORGE B. POWERS: I move it be referred to the committee for further study and recommendation.

(Motion seconded.)

PRESIDENT BOND: If you will consent to that motion, all in favor of Mr. Powers' motion will please signify by saying "aye." Contrary? Motion carried.

MR. JONES: Recommendation No. 9 is relative to procedure when the title comes through a foreign will. The Standard as originally adopted and now in force attempts to distinguish between the estates where the proceedings in foreign jurisdictions had been closed and the proceedings in which they were still pending. The suggested amendment simply removes that distinction and provides that in all proceedings having to do with the admission to record in our courts of foreign wills, the same Standard shall be applicable. I move the adoption of Recommendation No. 9.

(Motion seconded, and carried.)

MR. JONES: Now, the next matter (Recommendation No. 10) is a recommendation submitted by the committee for the adoption as a new Standard. We have several, I think five, Standards applicable to matters of joint tenancy. We have the one relative to the creation. We have one relative to proof of death of the joint tenant. We have one relative to the showing and the necessity of showing as to tax liability of the estate so as to clear the property of possible lien. There has been, as you gentlemen all know, a case known as the Berry Case, and that has resulted in a great deal of correspondence with attorneys over the State. As a result of the communications from over the State and discussions by the members of the committee, we have submitted, in connection with joint tenancy, the question: "When shall the title of the surviving joint tenant be considered marketable?" And as a Standard, the answer: "When one year has elapsed after the death of joint tenant, and proof of death of such joint tenant has been made as provided in preceding Standard (3) or (4), the title of the surviving joint tenant shall be considered marketable."

Mr. President, I move the adoption of this recommendation.

(Motion seconded, and carried.)

PRESIDENT BOND: The next report is that of the Taxation Committee, Mark L. Bennett of Topeka, Chairman.

MR. MARK L. BENNETT: Mr. President and Members of the Bar Association, we have a written report for you, and realizing how time is flying, I would like to summarize it. Unfortunately, however, if I attempted to summarize, it would probably take me about three times as long as it would to read the report, so with your indulgence, I will read it as rapidly as I can.

TAXATION

Your Committee on Taxation begs leave to make the following report:

SECTION 1

At the time of making our last report, we called to the Association's attention that the 1953 session of the Kansas Legislature enacted legislation providing for the appointment

of the Kansas Citizens Commission on Assessment Equalization and directing said Commission to make studies, findings and recommendations relative to the equalization of assessment of property in Kansas. The State Commission of Revenue and Taxation in March of 1954 issued its Report of Assessment Ratio Study for the State of Kansas for the Calendar Year 1953. This report shows that the ratio of assessed value to actual value throughout the State of Kansas is 23%. In other words, the average assessment of property in Kansas is 23% of its actual value. This state ratio is broken down in the report, showing the rural ratio and the urban ratio. The average state rural ratio reveals that farm properties are assessed at 26% of their actual value in money, and shows further that the urban ratio or the assessment of urban properties is 19% of their actual value in money. The total assessed value of all property in Kansas, rural and urban, is a little over two billion dollars, whereas, the true actual value of all property in Kansas, rural and urban, is a little over nine billion dollars. Any property, such as automobiles, that is assessed at nearly 100% of value, therefore, pays over four times as much taxes as the average rural-urban property throughout the state.

The Kansas Citizens Commission on Assessment Equalization has had many meetings and has done a tremendous amount of research work in an attempt to find some way in which to remedy this situation, and their report with their recommendations will be made to the Governor sometime this fall, and upon that report recommendations will be made to the 1955 Legislature for changes in our tax laws. It behooves each member of the Association to watch for this report and to consult the local members of the legislature with their recommendations on the report since there will be no further opportunity for this Association to take action as a body prior to the time the legislature will act upon the recommendations made by the Kansas Citizens Commission.

SECTION 2

Your committee recommends to this Association that the Association go on record as recommending to the State Legislature that the ton-mile tax in Kansas be preserved and that its abandonment in special cases be prohibited.

[EDITOR'S NOTE: Referred to Committee for further study, see p. 92, post.]

SECTION 3

Your committee recommends to this Association that the Association go on record as approving the retention of the ports of entry and the Port of Entry Law in Kansas to continue the aid it gives in the collection of state excise taxes.

SECTION 4

In the field of federal taxation are three measures of particular interest to lawyers. One is the proposal to broaden self-employment social security taxation to include lawyers and other professional persons. Others are H.R. 10 and H.R. 2692, permitting professional persons to put a portion of their income into retirement funds—such as annuities or retirement trust—and deduct the amounts so expended from current income. These bills suggest a plan similar to pension trusts utilized for many corporate executives and others in an employed status.

The alternatives of the social security and retirement fund plans are worthy of consideration. The payments into social security are not currently deductible. The benefit payments, when received, would *not* be taxable income. On the other hand, the payments into the retirement fund would be currently deductible and the proceeds would be taxable when received.

Your committee feels that the maximum benefit to members of the legal profession would be gained under H.R. 10 and H.R. 2692. Furthermore, such measures would permit lawyers the freedom of choice, which has always been highly prized by members of the Bar. We recommend that this Association go on record in support of H.R. 10 and H.R. 2692, or legislation similar in nature. We submit the following resolution at this time:

WHEREAS, Legislation is now being considered to place lawyers, accountants, and other professions under social security, or under self-employment taxes; and

WHEREAS, Certain officers and executives of corporations have enjoyed tax advantages in the establishment of pension and retirement funds by reason of Section 165 of the Internal Revenue Code, and this Association considers that attorneys and professional men are entitled to similar provisions with reference to the taxation of pension and retirement funds established by them: Now, Therefore,

Be it Resolved by the members of the Bar Association of the State of Kansas in annual meeting on April 16, 1954 that said Association favors and recommends the adoption of legislation authorizing and permitting lawyers and professional men to establish pension and retirement funds and to deduct the same from current income under legislation similar to H.R. 10 and H.R. 2692 now pending in the Congress of the United States; and

Be it Further Resolved, That such legislation should contain provisions permitting the withdrawal of such funds prior to 65 years of age in the event of total disability or other unusual hardship or disaster; and

Be it Further Resolved, That the secretary of the Association is instructed to send copies of this resolution to the American Bar Association and the Kansas Delegation to the Congress of the United States.

Respectfully submitted,

MELVIN E. BUCK
HAROLD R. SCHROEDER
PHILIP H. LEWIS
L. PERRY BISHOP
HENRY H. ASHER
OSCAR F. BELIN
EUGENE P. ZUSPANN
C. W. HUGHES
FRANK LIEBERT
ELMER E. EUWER
ALEX M. FROMME, *Ex-Officio*
MARK L. BENNETT, *Chairman.*

MR. BENNETT: (Read Section 1 of the Report):

Now, gentlemen, they are fiddling in this ratio study with the economy of the entire state, and I think it is terrifically important that each of you pay some attention to these recommendations when they are made, and after you have studied them, that you contact the representatives from your particular area and give them your recommendations, one

way or the other. I think that this is one thing that is probably as important as anything that has ever happened in the State in the tax field on the state level, and that its results can be terrific.

(Read balance of report.)

Mr. President, I move the adoption of the report.

(Motion seconded.)

MR. FREDERICK E. GULICK: Mr. Chairman, I would like to warn everybody at this meeting that there is dynamite in this report in the one sentence of Section 2, and if that recommendation has been made without study, it is a dangerous thing for this Bar Association to go on record as recommending it. There is one sentence in there which says that the Bar Association recommends that the State Legislature not permit the waiving of the ton-mileage tax in any case. If the Legislature would do that, I can say to all of you that no vehicle can enter the State of Oklahoma without buying an Oklahoma tag. If that is what this Association wants to do without giving it some thought, all right. I don't know how many times that committee met and how much they studied this problem, but I don't think it is a thing that should be decided without any reason or explanation as to why it should be done. Now, the Kansas Motor Vehicle Reciprocity Commission, of which I am a member, has studied it ever since its creation in 1951, and the only solution we could find was to waive the tax with Oklahoma in certain instances. I might also say that we are confident that the benefits accruing to the State of Kansas far surpass what we lose. One example of that is that the receipts from the Wichita Stockyards from the State of Oklahoma exceeded by 20 per cent all of the receipts from all other states when compared with the increase in receipts from the Wichita Stockyards. I might also say that when the Commission waived that mileage tax, we were afraid it would reduce the revenues available for the highways of Kansas, so we watched the revenue and we found out that during the year 1953, and during that entire year that agreement was in effect, the revenue increased $300,000 and did not decrease. We think that one of the reasons for this increase is that there are more people—businessmen, if you please—who are sending their vehicles into the State of Oklahoma to expand their trade territory, and are paying that mileage tax within the boundaries of the State of Kansas. I warn you that you ought not to make that recommendation without making a study of it to determine what impact it will have on the economy of this State.

PRESIDENT BOND: Do you have something to say in regard to that, Mr. Hudson?

MR. DOUGLAS HUDSON: Mr. President, I have always been a candid person, and Mr. Gulick's remarks strike a responsive chord in my heart for the reason that I have been employed in a case in which this Reciprocity Act is involved. They are very substantial clients, the case is under advisement at the present time, and I have a reasonable expectation of collecting a substantial fee out of the controversy. Now, I agree with him wholeheartedly, and therefore, I move to delete from the report the words of commendation concerning the continuation of the ton-mileage tax. I am sure that all of you have read in the press about the situation in Ohio, where a similar tax was imposed which was to be collected as of a couple of months ago. Ten states surrounding Ohio declared a vendetta upon the State of Ohio in that connection, and as far as I know, they have not insisted upon the imposition of a ton-mileage tax. Now, the truth of the matter is that

the Reciprocity Commission, of which Brother Gulick is a member, consists of the Lieutenant Governor—and I forget his name—the Lieutenant Governor, the Attorney General, the Chairman of the two committees of the House and the Senate, the Chairman of the Committee of Revenue and Taxation, and a gentleman who is Chairman of the State Corporation Commission. This Commission has been making a very thorough study of this reciprocity matter between the states. Perhaps all of you know that Oklahoma collects its tax on the tag. They get three times as much as we do on the tag. We make it up on the ton-mileage. The result has been that when our boys go into Oklahoma, they get arrested and thrown in jail and we are called upon to relieve them. And when Oklahoma comes up here, we charge them the ton-mileage tax, and it has made a very bad situation between the two states, and this is what I want to call your attention to: We have all along the border more Kansas cities than there are Oklahoma cities. Take Coffeyville, for instance. Half of Coffeyville's trade covers Oklahoma. Then there are Baxter Springs and Columbus, and Wichita does a tremendous business in Oklahoma, as does Hutchinson, and we have got the wrong end of the deal, but that Reciprocity Commission, with Brother Gulick as a motivating force, is doing a great role for the State of Kansas and its industry.

So, Mr. President, although I have great admiration for Brother Bennett, nevertheless a person who is in the taxation business just has an inevitable desire to get into your pocketbook, and I do move, therefore, and I ask this Association at this time, while the Reciprocity Commission is working on this problem, to delete from this report our support of the ton-mileage tax.

(Motion seconded.)

PRESIDENT BOND: I might say, for the benefit of Mr. Hudson, if you will attend the show tonight, you may have the names of those men brought to your mind.

MR. HUDSON: I will attend it.

PRESIDENT BOND: Mr. Bennett, do you have anything to say in connection with this motion?

MR. BENNETT: Yes, I do have just one thing to say. Of course, the ton-mileage tax is a tax upon the operation of trucks in the State of Kansas, based upon the payment of so much for each ton of freight they carry along the highways of the State. It is recognized, I think, in the majority of the states as being an equitable tax, and is used, I believe, in the majority of the states. The Reciprocity Bill, Senate Bill No. 50—I believe it was two sessions ago—did set up this reciprocity provision to take care of the situation between Kansas and Oklahoma. At the time that particular bill was debated in both the House and the Senate, there was quite a bit of opposition to it on the ground that it would, in effect, constitute or give a chance to waive the ton-mileage tax. That accusation was denied in both houses by the proponents of the bill, although it was thought at that time that some arrangement could be worked out with Oklahoma concerning the more or less holdup by the Oklahoma Highway Department of the boys from Kansas when they came down to Oklahoma, as it was necessary for every Kansas operator to buy a tag, and at the time he bought his tag he also had to pay the personal property tax on the value of that automobile under the Oklahoma rates, so it was a holdup. Well, now, the thing has gone along and I confess that there is a great diversity of opinion as to

what should be done about the present reciprocity law. I have argued it with my friend, Mr. Gulick, several times. I have argued it with some other of my friends in this room, and many who are not in this room. I think that one of the results that has come out of the operation of the reciprocity law in the past year or two has been that some of the men who are operating out of Oklahoma with Oklahoma licenses have saved $25,000 to $50,000 in payment of the ton-mileage tax. Those are Oklahoma folks. The Kansas folks are paying that ton-mileage tax when they operate in Kansas, and for that reason, to get it before this Bar Association, that statement was put in this report. Now, if the assembly here does not feel that at the present time they have enough information for them to go on record as being in favor of it, I would appreciate it very much if someone would make a motion, rather than a motion to disapprove the report, to refer the recommendation back to the committee for further study and report to this Association.

MR. HUDSON: It should be deleted, not disapproved.

MR. BENNETT: I feel that the recommendation is good. I feel that my committee is along with me, and I have had no dissent on that particular recommendation, so I assume that the entire committee is for it. Most of our meetings were through correspondence. I feel that this Association should adopt that recommendation for, as I say, it seems that on the face of the thing, as far as Oklahoma is concerned, the reciprocity law has worked to the advantage of Oklahoma operators and to the disadvantage of the Kansas operators.

MR. HUDSON: Mr. Bennett, that is your statement.

MR. BENNETT: Yes, that is my opinion.

MR. HUDSON: You are mistaken about that.

PRESIDENT BOND: Is there any further discussion?

FROM THE FLOOR: Question.

PRESIDENT BOND: The motion is that the recommendation of the committee be amended by deleting from it that portion dealing with the ton-mileage tax.

MR. WILLIAM M. FERGUSON: Mr. Chairman, I make a substitute motion that that portion of the report be referred back to the committee for further study.

MR. HUDSON: I have no objection to further study. I will withdraw my motion, and you may present it on a motion for further study.

PRESIDENT BOND: That is what the Chairman of the committee suggested. All in favor of the motion that that portion of the recommendation be referred back to the committee for further study say "aye." Contrary? Motion carried. Now, all those in favor of the adoption of the other provisions of the recommendations say "aye." Contrary? Carried.

I passed up the Committee on Selection, Tenure and Retirement of Judges, Honorable Donald J. Magaw, Chairman. There is nobody here to represent the committee, as far as I know, but I will read the report of the committee. It is as follows:

SELECTION AND TENURE OF JUDGES

Your Committee on Selection, Tenure and Retirement of Judges recommended the American Bar Association Plan for the selection and tenure of Judges of the District Court and Justices of the Supreme Court at the 1952 annual meeting of this association. A concurrent resolution was introduced in the House of Representatives in the 1953 session of the Legislature for the submission of a constitutional amendment, for the purpose of adopting the American Bar Association Plan for the selection and tenure of Judges. The resolution died in the House Judiciary Committee.

Your committee wishes to renew its recommendation of the American Bar Association Plan and urges its introduction and consideration as an amendment to the constitution of Kansas.

RETIREMENT OF JUDGES

The 1953 Legislature enacted a retirement system for Judges of the District Court and Justices of the Supreme Court. Your committee believes the present retirement plan for Judges is on the whole satisfactory. The committee recommends that the law be amended in two respects, as follows:

1. That the minimum tenure of service for eligibility retirement benefits be changed to either eight or twelve years, for the reason that the ten year tenure does not fit the four year terms to which District Judges are elected.

2. We recommend the repeal of the provision limiting the earned income of Judges receiving benefits under the act to $75.00 a month. The committee feels that such provision is strictly a welfare concept, and misses the spirit and purposes of a retirement plan for Judges.

Respectfully submitted,

WM. H MCHALE
HOWARD C. KLINE
EDGAR BENNETT
KIRKE C. VEEDER
LLOYD M. KAGEY
JAY W. SCOVEL, *Ex-Officio*
DONALD J. MAGAW, *Chairman.*

MR. HUDSON: I move the adoption of the report, Mr. President.

(Motion seconded.)

SENATOR WUNSCH: I might suggest, Mr. President, that when you get a good thing through the Legislature, you had better leave it alone, because it could be repealed when you get to fooling with this bill.

MR. HUDSON: I withdraw my motion, then. The "Voice of Experience" has spoken.

PRESIDENT BOND: There is no motion before the house. Does anybody care to make a motion? Judge Magaw isn't here, and I am sorry he isn't.

MR. WILLIAM M. FERGUSON: In line with what Senator Wunsch said, I will make a substitute motion that it be referred to the Committee for further study.

(Motion seconded, and carried.)

PRESIDENT BOND: There is one regular committee yet to report, and that is the Committee on Uniform Commercial Code Study. Senator Toland isn't here, and I understand that Mr. Gulick will present the report of this committee.

UNIFORM COMMERCIAL CODE STUDY

This Special Committee was created by the Association at its annual meeting in May, 1951, to study the proposed Uniform Commercial Code. The Committee has reported each year to the Association at its annual meeting the developments that have taken place with respect to the proposed uniform commercial code. This report, therefore, is only a further progress report.

With the appropriation of $3,000.00 made by the 1953 Kansas Legislature, copies of the Annotated Uniform Commercial Code have been purchased and distributed to members of the Legislature and other interested parties. Any member of the Bar who has not received a copy may have one by making a written rqeuest to Fred E. Gulick, Secretary of the Kansas Commission of Interstate Cooperation, State House, Topeka, Kansas.

So far the State of Pennsylvania is the only State that has enacted into law the Uniform Commercial Code and it goes into effect there on July 1, 1954.

The Legislative Commission of Massachusetts has filed its report to the Legislature in which a majority of the Commission recommend the passage of the Code this year in Massachusetts. However, there was a minority report recommending the appointment of a joint commission by New York, New Jersey, Ohio, Illinois, Indiana and Michigan, to consider the Code and frame a State Compact, embodying the Code and dealing with the method of amending the Code once the compact has been adopted by the named States. So far as we are informed to date, this minority report of the Legislative Commission of Massachusetts has not received acceptance in any of the other named states, but it is quite obvious that if any such project received acceptance in those states, the matter of drafting and considering a Commercial Code would start all over again and a good many more years would elapse before anything could be accomplished.

As your Committee views the matter at this time, it is not feasible and no doubt would do more harm than good to undertake to present the Code to the 1955 Kansas Legislature when the Code so far has only been adopted by the State of Pennsylvania. While the Code is a monumental work, it cannot have practical utility in Kansas until it has first been accepted and enacted into law in the larger commercial and industrial states.

In the past year the Code has been the subject of discussion not only in our own Bar Association Journal, but also in the Law Review of the University of Kansas. Other articles will follow. Many articles have also been written in other publications in other states and the big majority of them are favorable to the Code.

As this Committee is a Special Study Committee, the work of the Committee will not

be finished until final action is taken on the Code in this State. Under these circumstances the Committee recommends that this special committee be continued for another year.

Respectfully submitted,

WILLIAM A. KAHRS
JACK L. GOODRICH
CHARLES D. STOUGH
JOHN H. MURRAY
FRED E. GULICK
L. J. FREVERT
MURRAY HODGES
BASIL W. KELSEY
THOMAS E. JOYCE
J. WILLARD HAYNES, *Ex-Officio*
STANLEY E. TOLAND, *Chairman.*

MR. FRED GULICK: There are no recommendations in this report, except to recommend that this special study committee be continued. However, there is one thing that I would like to announce, and I wish there were more members here. The 1953 Legislature made an appropriation to purchase copies of the Uniform Commercial Code with Annotations to distribute to members of the Bar and other persons that are interested in the Code. Now, we sent out in the Bar Letter notice of this, I think twice. The response from the Bar has been what I would call poor, and we have a large supply of these books available and would like to get rid of them so we will have space for other purposes.

FROM THE FLOOR: Why don't you send them to us?

MR. GULICK: Because we feel we should not send them except on request. These books are valuable books, in case you don't know it. If you had to buy them yourself, they would cost $4.50. There are forms at the registration desk downstairs, and if you will fill one out, a copy will be sent you. We don't have enough to send every member of the Bar. There is another reason. The impetus behind this Code passed with the death of Gene Stanley. He was really the ramrod behind it, and there doesn't seem to be much interest in the Bar. The committee was in the hopes that some of the members of the Bar would criticize the Code before it was introduced in the Legislature. I might say that we figured the cost of printing the bill when it was introduced in the Legislature would run about $1,800, so it was thought not advisable to have it introduced into the Legislature until the lawyers had had a look at it, but it doesn't look like many of them are interested in taking a look. I might say that there is only one state that has adopted it and that is the State of Pennsylvania, and it goes into effect on the 1st day of July there.

Mr. Chairman, I move that the committee be continued for another year.

MR. POWERS: Is there enough to send one to every firm?

MR. GULICK: I think so, as I understand it.

(Motion seconded, and carried.)

PRESIDENT BOND: We have two special committee reports. One is the Report of the Resolutions Committee, consisting of N. E. Snyder, Chairman, Jay H. Sullivan and Auburn G. Light. Is that committee ready to report?

MR. N. E. SNYDER: We are ready to report, Mr. Chairman.

RESOLUTIONS

As the 72nd Annual Meeting of the Bar Association of Kansas closes, we deem it appropriate to offer the following resolution to the membership for consideration:

BE IT RESOLVED, That:

1. To the Topeka Bar, our genial and generous host, we express our thanks and sincere appreciation.

2. We also thank the Topeka hotels, newspapers, radio stations, city officials, and all others who have helped to make this meeting successful.

3. We express, also, our appreciation to the wives of the members of the Topeka Bar for their delightful entertainment of the ladies attending the convention.

4. In grateful appreciation of the invaluable services he has rendered the bench, the bar and the people of Kansas as Justice of the Supreme Court of Kansas, we commend Mr. Justice Hugo T. Wedell, and we note with regret his announcement that he will retire from the bench and no longer serve in that capacity. We shall miss him.

5. To our President, L. J. Bond, our commendation for a successful administration, with many accomplishments too numerous to list here, our deep appreciation for the time and effort he has devoted to the interest of the Association, and to his gracious lady, Frances, who helped him and shared in the sacrifice of time necessary to do the job, our thanks. Mr. President, we're proud of you and the excellent job you have done for us.

6. To John W. Shuart, we express our thanks for his careful, diligent, prompt and efficient handling of the business of the Association delegated to him as its Executive Secretary.

Mr. President, I move the adoption of these resolutions.

(Motion seconded, and carried.)

MR. SNYDER: We have, Mr. President, two other short items which we deemed it advisable to submit separately, not because they are controversial, because I am definitely sure they are not.

7. In view of the enactment by the 1953 legislature of the Judicial Retirement Act, we offer this separate resolution for consideration:

WHEREAS, Certain members of the Bench, both of the District Courts and the Supreme Court, will retire under the retirement program of the State of Kansas; and

WEHREAS, The Bar Association desires to retain and inspire their active interest in Bar Association matters; and

WHEREAS, The Executive Council has approved the program of making all such retiring judges honorary members of the Bar Association;

NOW, THEREFOR, The members of the Association hereby decree that all Judges of the Supreme Court and all Judges of the District Courts retiring from the Bench under the retirement program of the State of Kansas, be, from and after the date of such retirement, honorary members of the Bar Association of the State of Kansas, and all further payment of dues be waived.

Mr. President, I move the adoption of that resolution.

(Motion seconded, and carried.)

MR. SNYDER: One more short one, Mr. President, if you will bear with me.

8. Since the American Bar Association is dedicating a portion of the new American Bar Center in Chicago to Gene Stanley, in order to supplement that action we offer the following resolution:

WHEREAS, W. E. (Gene) Stanley served the Bar Association of the State of Kansas as Secretary from 1920 to 1939; as editor of the Bar Journal from 1932 to 1939, and as President in 1940-41; and

WHEREAS, He served on many of the most important committees of the American Bar Association and in the House of Delegates thereof for many years; and

WHEREAS, a multitude of his friends throughout the United States desire to honor his memory by creating a "Gene Stanley Memorial Fund" to dedicate a portion of the new American Bar Center in Chicago so that his name may live forever in the American Bar; and

WHEREAS, The Executive Council of the Bar Association of the State of Kansas has unanimously endorsed the creation of such fund;

NOW, THEREFORE, Be it resolved by the Bar Association of the State of Kansas, that such memorial fund be endorsed and that the members be urged to support such memorial fund, sending such contributions as they desire to Mr. William Carey, Hutchinson, Kansas, the Kansas Representative of such fund.

Mr. President, I move the adoption of that resolution, which is designated No. 8.

(Motion seconded, and carried.)

MR. SNYDER: Mr. President, that concludes the report of your Committee on Resolutions.

PRESIDENT BOND: There is one more committee report, and that is the Nominating Committee, J. G. Somers, Chairman.

NOMINATION AND ELECTION OF OFFICERS

MR. J. G. SOMERS: This committee was composed of Roy Davis, Jim Taylor, and myself. Roy Davis and Jim Taylor took one look at this list of recommendations and both left town.

Your committee nominates the following:

For President-Elect, Claude E. Chalfant; for Vice-President, J. Willard Haynes; for Secretary-Treasurer, George B. Powers. Executive Council: First District: F. C. Bannon; Fourth District: Harry O. Janicke; Fifth District: William M. Beall; Seventh District: Wesley E. Brown; Ninth District: D. B. Lang.

Mr. President, I move the nomination and election of this slate of officers.

MR. HUDSON: I move that the list be closed, and I second the motion. Worthy gentlemen, all.

PRESIDENT BOND: If there are no other nominations, I will ask all those in favor of the motion of Mr. Hudson to signify by saying "aye." Contrary? Motion carried.

I know that this is a relief to some of the nominees here present. Now, we have a new President of the Kansas Bar Association, and he is going to be a good one. He is able and he is willing to work. I know how you fellows have treated me—you have been grand to me. In the first place, you have been grand to me in electing me to this important office—I don't know of anything I prize more—and then in supporting me so well while I have been in office.

Now, I want to introduce to you our new President.

MR. CLAUDE I. DEPEW: I wish to say thanks, sincerely. Our Constitution, by which I expect to live during the next year, starting at this instant, provides a time for the President to make a speech, and that is an appropriate address at the opening session of the next Convention. I hope the attendance, the activities, the atmosphere and the spirit will be just as good then as they are now, and that you will be able to say the nice things about me that I have heard you saying about Jack Bond today. Thank you. (Applause)

PRESIDENT BOND: If there is no other business before the meeting, we stand adjourned.

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CASE NOTES

INFANTS—Recovery for Prenatal Injuries

On May 2, 1952, plaintiff was driving a car on the streets of Lancaster, Missouri. Defendant failed to observe a "Stop" sign and as a result collided with plaintiff's car, causing injury to her and her unborn child. The child was born alive on May 5 and died 18 days later as a result of the injuries received in the collision of the cars. Plaintiff sought $15,000 for the wrongful death of her son. The Supreme Court of Missouri held that a viable child injured before birth and born alive may after its birth maintain a tort action against the tort-feasor for the injury inflicted and is a person within the meaning of the wrongful death statute. Steggall v. Morris, 363 Mo. 1224, 258 S.W. 2d 577 (1953), overruling Buel v. United Railways Co., 248 Mo. 126, 154 S.W. 71 (1913). Accord: Amann v. Faidy, 415 Ill. 422, 114 N.E. 2d 412 (1953), overruling Allaire v. St. Luke's Hospital, 184 Ill. 359, 56 N.E. 638 (1900).

The pioneer case of Dietrich v. Northampton, 138 Mass. 14 (1884), first considered the right of an unborn child to recover for prenatal injuries. A mother four or five

months advanced in pregnancy suffered a miscarriage as a result of a fall on a defective highway. Justice Holmes declared that because the unborn child is merely part of the mother, any injury to it is an injury to the mother only, and no action lies in favor of the child. The unfortunate dictum of the Dietrich case was adopted as precedent in Walker v. Great Northern Railway Co., 28 L.R. (Ire.) 69 (1891), and Allaire v. St. Luke's Hospital, 184 Ill. 359, 56 N.E. 638 (1900). These three cases formed the pattern of decision for the next half century, not to be seriously challenged by American authority until 1946. The reasons assigned by the courts for the blanket denial of a right of action to recover for prenatal injuries, regardless of the facts, have in general been: (1) lack of precedent allowing recovery; (2) an unborn infant has no legal existence apart from the mother, i.e., it is not a "person"; (3) the causal relation between a prenatal injury and the death or condition of the child would be too speculative; (4) the grant of a right of action would unduly increase litigation.

Recent decisions have recognized that none of the reasons for denying actions for prenatal injuries have substantial merit. The principal reasons advanced in support of such actions are: (1) There was no common law precedent denying recovery at the time of the Dietrich case. In fact there was no authority on either side. (2) In light of medical science today it can no longer be seriously contended that an infant before birth can have no existence apart from its mother. Medical authorities have long recognized that at a certain stage of development, usually after 28 weeks, the infant becomes sufficiently independent to survive if separated from the mother. (3) The law has for many purposes recognized the existence of the unborn child. The criminal law regards it as a separate entity, and the law of property considers it in being for all purposes which are to its benefit. (4) The real reason for the holdings denying recovery is a rule of convenience. However, with the advance of modern science and the presence of the safeguard of requiring adequate proof of the injury, there appears to be no sound reason to deny the infant the opportunity to prove his case. (5) Proof of causal connection in these cases is difficult, but these difficulties would ordinarily be no greater than in other actions which are generally allowed. (6) A wrong is inflicted for which there is no remedy unless there is recognition of the legal right of a child to commence life unimpaired by physical or mental defects caused by the negligence of others.

The instant decisions reversing the law of Missouri and Illinois mark the final phase of a seven-year revolution in prenatal tort law. With these decisions the weight of authority shifts in favor of recovery for prenatal torts. Significantly, the Illinois reversal carries with it the Allaire case, a cornerstone of the whole Dietrich line of decisions. These events cast serious doubt upon the law of the six remaining jurisdictions that have precedent supporting a blanket denial of a right of action. See 10 A.L.R. 2d 1059. The possible exception is the Massachusetts Court which has recently indicated a steadfast adherence to stare decisis. Cavanaugh v. First National Stores, Inc., 329 Mass. 179, 107 N.E. 2d 307 (1952); Bliss v. Passanesi, 326 Mass. 461, 95 N.E. 2d 206 (1950). Nine state appellate courts, the District Court for the District of Columbia, and the Supreme Court of Canada have permitted an action to be maintained for prenatal injuries. Bonbrest v. Kotz, 65 F. Supp. 138 (D.C. 1946); Scott v. McPheeters, 33 Cal. App. 629, 92 P. 2d 678 (1939); Tucker v. H. L. Carmichael & Sons, 208 Ga. 201, 65 S.E. 2d 909 (1951); Amann v. Faidy, 415 Ill. 422, 114 N.E. 2d 412 (1953); Cooper v. Blanck, La. App., 39 So. 2d 352, decided in 1923 but not released for publication until 1949; Damasiewicz v. Gorsuch, 197 Md. 417, 79 A. 2d 550 (1951); Verkennes v. Corniea, 229 Minn. 365, 38 N.W. 2d 838, 10 A.L.R. 2d 634 (1949); Steggall v. Morris, 363 Mo. 1224, 258 S.W. 2d 577 (1953); Woods v. Lancet, 303 N.Y. 349, 102 N.E. 2d 691, 27 A.L.R. 2d 1250 (1951); Jasinsky v. Potts, 153 Ohio St. 529, 92 N.E. 2d 809 (1951); Williams v. Marion Rapid Transit, 152 Ohio St. 114, 87 N.E. 2d 334, 10 A.L.R. 2d 1051 (1949); Montreal Tramways v. LeVeille, 4 D.L.R. 337 (1933).

The initial decisions allowing recovery for prenatal torts indicate a cautious reluctance on the part of the courts to commit themselves to a broad recognition of such actions.

Indicative of this reluctance is the distinction being made between viable and non-viable infants. Viability is the stage of development at which the infant becomes sufficiently independent to survive if separated from its mother. The language of the cases suggests that viability may become the line of departure in some jurisdictions. Underlying the potential controversy that may arise from such a distinction is the same problem which confronted the court in the Dietrich case, the problem of fixing the point of legal separability from the mother. A viability requirement would seem to be potentially as artificial as the former requirement of the severance of the umbilical cord. From a practical standpoint viability is nearly impossible to determine unless delivery occurs soon after the injury. In final analysis a viability test would amount to a rough approximation based on the elapsed time of the gestation period which actually determines viability with little certainty. A more serious objection is the injustice resulting from an arbitrary denial of recovery to a child whose injuries occurred before viability and are susceptable of proof. Such a distinction would deny recovery for some types of serious injuries which are more likely to be inflicted upon the child before viability. The absurdity of such a distinction is illustrated by the facts of Stemmer v. Kline, 128 N.J.L. 455, 26 A. 2d 489 (1940). There a six year old child who was born severely burned, an idiot without skeletal structure, sight, speech, hearing, or power of locomotion, brought an action against a doctor who had diagnosed the mother's pregnancy as a tumor and had proceeded to treat it with x-ray. Under a viability theory there could be no recovery. A late decision of a lower New York court offers a more promising approach. Kelly v. Gregory, 125 N.Y.S. 2d 696 (1953). There the child was injured in the third month of pregnancy and was later born alive. The court held that a child born alive may recover for prenatal injury inflicted at any time after conception regardless of whether the foetus was viable at the time of the injury. This approach would seem to carry the concept allowing recovery for prenatal injuries to its logical culmination.

The weakest link in the new concept of prenatal tort law is the problem presented by "prenatal death." Actions for prenatal death are brought within the literal meaning of the wrongful death statutes by the recognition of a new point of legal separability of the unborn infant from the mother. Kansas G. S. 1949, 60-3203, provides that a personal representative may maintain an action for the wrongful death of the decedent if the decedent might have maintained an action for the injuries had he lived. Thus, if the time of conception were recognized as the point of legal separatbility, which is necessary to fully cover all infants that might suffer from prenatal injuries after birth, the literal coverage of the statute would be extended to include the period from conception to birth. There are policy reasons which make such a result undesirable. The damages to the estate are highly speculative and it is doubtful that the family suffers any real pecuniary loss outside of death expenses which could not be recovered in the mother's own behalf. The extension of the statute could further be argued to increase the possibility of fraudulent and ill founded suits because of the increased difficulties of proving causal relation where the child is still-born. These arguments are especially persuasive with regard to non-viable infants. Recent cases indicate that a divergence of opinion is likely. The Minnesota Court permitted a wrongful death action for an unborn viable child where both mother and child died because of the failure of a doctor to be present to deliver the child. Verkeenes v. Corniea, supra. The Nebraska Court held that a child born dead had no juridical existence, but reserved for future determination the question of whether a child born alive may sue in its own name for injuries suffered before birth. Drabbels v. Skelly Oil Co., 155 Neb. 17, 50 N.W. 2d 229 (1951). The Oklahoma Court adopted the rule of the Drabbels case on the same facts. Howell v. Rushing, 261 P. 2d 217 (Okla. 1953). The possibility of such a distinction was recognized in an early Wisconsin decision. Lipps v. Milwaukee Electric Railway & Light Co., 164 Wis. 272, 159 N.W. 916 (1916). The language of the instant decisions and the promising approach offered by Kelly v. Gregory, supra, emphasized the live birth of a viable child. Thus, the simple requirement of a live birth of an injured child would seem to be a just and very probable rule in future determinations of prenatal tort actions.

The cautious approach to the problems of prenatal tort recovery has promise of producing a good body of law. Any future determination of the law in Kansas will find most of the important problems resolved with only the perfection of the concept remaining.

CURTIS D. TERFLINGER.

INTERNAL REVENUE—Dividends Received—Stock Dividends

The taxpayer received a pro rata preferred stock dividend on common stock which he owned. Three days later, the taxpayer along with five of the other six stockholders of the corporation signed a purchase agreement which had been negotiated prior to the issuance of the preferred stock. This agreement provided for the sale of all the preferred stock received by them, except for 20 shares held by an estate, to two insurance companies. The preferred stock contained *inter alia* a provision for mandatory redemption by the corporation by May 1, 1954. The taxpayer computed a substituted basis for the preferred stock and used this in computing a long-term capital gain for tax purposes. The Commissioner contended that the distribution was taxable to the recipient as ordinary income. The court *held* for the taxpayer because this was a stock dividend which did not alter any stockholder's proportionate interest in the corporation and the provision for immediate sale was immaterial. Chamberlin v. C. I. R., 207 F. 2d 462 (6th Cir. 1953), cert. denied, 74 S. Ct. 516 (1954).

Ordinarily, all dividends are taxable. Int. Rev. Code. § 22 (a). But certain stock dividends are not so treated by the Code, Sec. 115 (f), or by the courts. A common stock dividend on common stock is not income. Eisner v. Macomber, 252 U. S. 189 (1920); Helvering v. Griffiths, 318 U. S. 371 (1943). Nor is a preferred stock dividend on preferred stock a gain. Weigand v. C. I. R., 194 F. 2d 479 (3rd Cir., 1951); Tourtelot v. C. I. R., 189 F. 2d 167 (7th Cir., 1951); but cf. Helms Bakeries, 46 B.T.A. 308 (1942). But a common stock dividend on preferred stock results in income, Koshland v. Helvering, 298 U. S. 441 (1936), as does a preferred stock dividend on common stock on the ground that it results in a change in the proportionate interest. Helvering v. Gowran, 302 U. S. 238 (1937). An exception to the latter rule was made on the ground that there could be no change in interest where there was but one stockholder. Strassburger v. C. I. R., 318 U. S. 604 (1943). This exception was expanded to include two stockholders in Estate of Joseph E. Sorg, TC Memo Dkt. No. 102928 (1943). The principal case now extends the exception further by permitting seven stockholders to be included in the closely-held corporation concept. Quare: Has the exception eclipsed the rule?

The Ways and Means Committee of the House of Representatives is considering a provision to plug this loophole. H.R. Rep. No. 1337, 83rd Cong., 2d Sess. 36 (1954). It imposes an 85 per cent transfer tax on the corporation at the time it redeems the preferred stock within ten years of the time the stock was issued with certain exceptions not pertinent here. It should be noted that while this appears to be an excessive penalty under present tax rates, it is only the redemption which is taxed and any other disposition by the recipient is unaffected.

D. SPENCER YOHE.

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COMMENT

JOINDER OF CAUSES OF ACTION IN TORT AND CONTRACT

By SCHUYLER W. JACKSON

In the recent case of Nichols v. Nold, 174 Kan. 613, 258 P. 2d 317, the question of joining in the same petition, a cause of action in tort and a cause of action in contract is raised. There would seem to be no question but that such joinder may be perfectly proper under the Kansas Code of Civil Procedure (G. S. 1949, 60-601). Despite the clear rule of the code, it would seem that the question is worthy of some elaboration and restatement of fundamentals.

The facts in the Nichols case may be briefly condensed as follows: Plaintiff was injured when a bottle of Pepsi Cola exploded; she sued three defendants, the bottler of the beverage, the distributor, and the cafe owner from whom the bottle of Pepsi Cola had been purchased. All of these parties were made joint

defendants in each of the two causes of action contained in the petition. The first cause of action was based upon the doctrine of *res ipsa loquitur*, and the second was upon an alleged breach of an implied warranty. The majority of the Court affirmed an order overruling demurrers to the petition on the ground of misjoinder of action.

This comment is directed to only the procedural points as to misjoinder of actions, and agrees, as held by the Supreme Court, that all of the defendants were correctly made parties to both of the causes of action. Likewise, it may be assumed, for the sake of argument that implied warranty often sounds in contract, and that perhaps it did so in the Nichols case.

The appellants seem to have argued that tort and contract actions cannot be joined in the same lawsuit, and further that such causes of actions are "inconsistent." The whole problem can best be analyzed by briefly reviewing the history of the matter of joinder of actions.

At Common Law under the forms of action and the writ system, it was possible only to join actions which were consistent with the writ. Though some of the old cases phrase the rules of joinder in different ways, a practical view of the situation shows that when one had secured a writ in trespass, he could not join in his declaration a cause of action in trespass and one in assumpsit nor even in the tortious action of trespass on the case. It seems clear that the basis of the holdings that these actions of trespass and assumpsit were inconsistent was that the action in assumpsit was inconsistent with the writ in trespass. It may be that the reason back of this "inconsistency" was not adverted to as the years passed and the actual securing of an original writ from the Chancery fell into disuse. Nevertheless, the rule at Common Law for joinder of actions may be briefly stated: First, *the actions joined must affect all of the parties to the law suit.* Second, with a writ in trespass, as many counts in trespass could be alleged in the same declaration as plaintiff desired to plead. There was no requirement that the counts arise out of the same transaction, although they might do so. Likewise, under a writ of assumpsit, as many counts in assumpsit—either general or special—might be alleged in the declaration. The rule, of course, was the same as to case, trover, covenant, debt etc. The law did allow the joinder of case and trover, because trover was evolved from the action on the case and was basically the same form of action. Likewise, debt and detinue might be joined because historically they seem to have been one form of action. The rule of consistency of action as to joinder seems to have only been a quite logical application of the fundamental rule that there could be no variance between the form of the declaration and the form of the writ. (Sunderland, 18 Mich. L.R. 571; Shipman, Common Law Pleading, sec. 80.)

When in 1848, the Field Code was adopted in New York, the forms of action were stated to have been "abolished," and a new system for the joinder of actions was devised. The Field Code of New York was the most prolific father of civil codes in all the history of jurisprudence, and its progeny appeared in almost all of the code states. Kansas in its Civil Code of 1868, adopted the pattern of the

New York Code, including its system for joinder of actions. In 1869, the Kansas Supreme Court speaking through Mr. Justice Valentine handed down the decision in the case of Harris v. Avery, 5 Kan. 146, which has become the leading case in the nation on the Field Code type of provision for joinder of actions. The statute construed in the Harris case is set out below.[1] The Kansas Code of Civil Procedure was radically amended in 1909, by the adoption of the section now appearing as G. S. 1949, 60-601. The section reads:

> "The plaintiff may unite several causes of action in the same petition, whether they be such as have been heretofore denominated legal or equitable, or both. But the causes of action so united must affect all the parties to the action, except in actions to enforce mortgages or other liens."

It is at once apparent that the only limitation on joinder of actions under our present code is that all of the actions so joined must "affect all of the parties" to the suit. This one qualification on joinder is not new, but is the one remaining qualification which existed both at Common Law, and also under the Field Code. It has been noted by eminent scholars that the Kansas Code was one of the first to liberalize joinder of actions. (Clark, Code Pleading 2d ed. Pg. 443.) The Kansas Supreme Court has steadfastly adhered to the clear provisions of the Civil Code since its amendment in 1909. (In general, see Osborne v. Kingston, 148 Kan. 314, 80 P. 2d 1063; Pleife v. Cline, 149 Kan. 9, 85 P. 2d 996; Kirwin v. McIntosh, 151 Kan. 289, 98 P. 2d 160; Jones v. Jones, 158 Kan. 196, 146 P. 2d 405; Dering v. Hurt, 158 Kan. 229, 146 P. 2d 363; Springer v. O'Brien, 164 Kan. 461, 190 P. 2d 341.)

From the case of Nichols v. Nold, and perhaps from some statements in the opinion in Frier v. Proctor and Gamble Distributing Co., 173 Kan. 733, 252 P. 2d 850, it would appear that the Bar is sometimes losing sight of the clear rule in section 60-601 of our Civil Code.

It may be that some of the difficulty is produced by a misapprehension of a statement in the case of Burks v. Aldridge, 154 Kan. 731, 121 P. 2d 276. The material part of the statement in the Burks opinion reads:

> "Ordinarily, actions in tort and on contract may not be joined. (1 Am. Jur. 464, §75; 1 C.J.S. 1255, §93; Hoye v. Raymond, 25 Kan. 665; 1 Bancroft's Code Pleading, 213, §110.) . . . . Certainly such actions cannot be joined unless it can be said that both 'affect all the parties' within the meaning of the code provision, above."

The statement is somewhat ambiguous, possibly what the opinion means to say is that formerly causes of action in contract and tort were inconsistent since

1. G. S. 1868, chapter 80, section 83.

"The plaintiff may unite several causes of action in the same petition, whether they be such as have heretofore been denominated legal or equitable, or both, where they all arise out of either one of the following classes:

First, The same transaction, or transactions, connected with the same subject of action.

Second, Contracts, express or implied.

Third, Injuries, with or without force, to person and property, or either.

Fourth, Injuries to character.

Fifth, Claims to recover the possession of personal property, with or without damages for the withholding thereof.

Sixth, Claims to recover real property, with or without damages for the withholding thereof, and the rents and profits of the same.

Seventh, Claims against a trustee, by virtue of a contract, or by operation of law.

But the causes of action so united must all belong to one of these classes, and must affect all the parties to the action, except in actions to enforce mortgages or other liens."

the contract action fell in the second subsection of the old Field Code type statute and the tort action fell in either the third, fourth or elsewhere in the subsections of the provisions of the old code on joinder (see footnote 1, supra). It is readily ascertainable that the case of Hoye v. Raymond, 25 Kan. 665, cited by Mr. Justice Hoch in the Burks case, as well as all other authorities so cited as to the impossibility of joining contract and tort actions were concerned only with the Field Code type provisions or the Common Law restrictions on joinder of actions. In fact, even in the Hoye case, the Court held the joinder bad only because the causes joined did not affect all the parties to the action. The Hoye case is especially instructive on the rules of the old fashioned code, and should be read carefully with the pertinent statute in mind.

As fully pointed out in the Hoye case, contract and tort actions might be properly joined when they arose out of the "same transaction" as specified in the first sub-paragraph of the Field type code, footnote, supra, and see Harris v. Avery, supra, and Clark, Code Pleading 2d. ed. p. 442. So even under the Kansas Civil Code of 1868, Ch. 80, sec. 83, the causes of action in Nichols v. Nold, supra, were properly joined, since it is clear they arose out of the same transaction. It is indeed strange to have it argued that they cannot be joined under the provisions of our present statute as found in section 60-601, where the "same transaction" and all other classifications of actions have been eliminated.

It would seem, moreover, that all ideas of the inconsistency of actions stem from the rules of the Common Law and of the Field Code on joinder of actions; and that under the free policy of joinder of actions as first set out in 1909, in section 60-601, there is no reason for saying that any *theory* of action is inconsistent with another *theory.*

It might be that in some lawsuits, there could be a logical argument for inconsistency of causes of action, or perhaps more correctly the questioning of the good faith of the pleader where the proof of the facts necessary for one cause of action would disprove the facts necessary for another cause of action. (Springer v. O'Brien, 164 Kan. 461, at p. 464-5, 190 P. 2d 341.) This is the same test sometimes applied to inconsistent defenses under the provisions of the last paragraph of G. S. 1949, 60-710, said provisions being directly descended from the old Statute of Anne (4 Anne, c. 16, 1705), and allowing defendant to plead as many defenses as he may have. For an application of the rule of inconsistency applied to defenses, see Pinegar v. Webster, 145 Kan. 44, 64 P. 2d 646. But even this last rule of inconsistency is invalid where the pleader is actually uncertain as to the factual situation (Railroad Bldg. & Savings Ass'n v. Grayum, 136 Kan. 418, 15 P. 2d 405; Conrad v. Dillinger, 176 Kan. 296,— P. 2d. —,).

In conclusion, it would seem that the Bar of the state should clearly understand that under section 60-601, of our Civil Code, *any* combination of *causes* of action existing between all the parties to the lawsuit may be joined in the one action.

BOOK NOTICES

BASIC PROBLEMS OF EVIDENCE, by Edmund M. Morgan of Vanderbilt University School of Law, formerly of Harvard Law School. Published by the Committee on Continuing Legal Education of the American Law Institute collaborating with the American Bar Association, 133 South 36th Street, Philadelphia 4, Pennsylvania. (March 1954); 2 Volumes, 369 Pages ($5.00).

The Committee on Continuing Legal Education has now published some twenty-five practical, concise, "how to do it" handbooks on various subjects of the law for general practitioners. They have been so remarkably well received that more than 100,000 of them are now in use by members of the bar throughout the country.

None of these successful publications could possibly be more welcome than this latest one. "Basic Problems of Evidence," by the well-recognized master of that difficult area of practice, Professor Edmund M. Morgan of Vanderbilt University Law School and for many years of the Harvard Law School.

This book is written especially for the general practitioner. Professor Morgan covers in his customarily thorough manner a broad range touching upon such matters as what evidence is relevant; what witnesses are competent; what may be shown to impeach a witness, and how; what evidence is privileged; what evidence is hearsay and what, being hearsay is nevertheless admissible; what evidence involves questions of opinion, lay or expert, and how objections on this score can be met. In addition, there is coverage of such perplexing matters as Presumptions, Burden of Proof and the Parol Evidence Rule.

One prominent United States District Judge has stated that in his opinion every trial judge should have these volumes on his bench in the court room at all times. More so should every lawyer who appears as an advocate also have them ever present in his library and even on his desk.

The book is one of a series dealing with the Preparation and Trial of a Civil Action. The Editor of the series is Honorable Charles E. Clark, Judge of the United States Court of Appeals for the Second Circuit, former Dean of the Yale Law School and one of the most important participants in the promulgation of the Federal Rules of Civil Procedure. This series of publications consists of the following:

A Civil Action—Preparation For Trial of A Civil Action (December, 1954). By Eustace Cullinan and Herbert W. Clark of the San Francisco Bar.

A Civil Action—From Pleadings to Opening of Trial. By Hubert Hickman of the Indianapolis, Indiana Bar.

A Civil Action—The Trial. By John F. X. Finn of the New York Bar. (in preparation)

A Civil Action—Basic Problems of Evidence. By Professor Edmund M. Morgan of Vanderbilt University Law School and formerly of Harvard Law School—Two Volumes.

A Civil Action—A Case on Appeal—A Judge's View and a Lawyer's View. By Honorable Herbert F. Goodrich of the United States Court of Appeals for the Third Circuit, Ralph M. Carson and John W. Davis of the New York Bar.

Any lawyer wishing a bird's-eye view of the entire subject or valuable suggestions and reference for an intensive investigation of any phase of the subject would do well to possess himself of these important works, including particularly that by Professor Morgan.

HASH

Country Style

By R. S. BARNETT

5707 Cherry Street, Kansas City, Missouri

Stanley Taylor, formerly of El Dorado, came in to the Jayhawk lobby a week or so ago. He told me he had been sick for better than a year. He, I am happy to report, is doing better now, and is on the road to recovery.

Kay Arvin, after six weeks in Detroit, came home with sufficient vision to get around—this she does without the aid of a cane. Les seems to be hopeful of a 50% eyesight in the near future.

Sid Hunt of Topeka has left Ed Sondker's office and gone uptown with the Lillard, Eidson office, and Ernie Rice, I think, moved down to the Columbian Building. Ernie Rice is the Democrat candidate for county attorney of Shawnee—opposed by either Jack Quinlan or Roy Bulkley.

Harold Hammond has left De Soto and moved to Olathe. His office has been opened in the First National Bank Building.

Jim McClure died on June 8 at Topeka, with a heart condition. He went in a hurry—so unexpected and sudden. No one was prepared for it. I don't think Jim knew he had a bad heart. Jim McClure had a lot of friends in Kansas. His loss will be most acute. I am sorry to have to report his demise.

Scott, Boyce, Donnelly and Ross is the new firm in Kansas City, Kansas. The new firm is in the Bennett Building, with offices wide open to accommodate the many clients the boys have had individually.

Claude Bryant of Independence has most of the Session Laws and all of the Statutes, which he would like to dispose of. And a bunch of glass bookcases, too, could be had. Claude is about ready to call it a day and do things he likes better than practice.

Ben Foster is a worthy candidate for the House from Sedgwick county. I don't remember too well, but I think he opposes Vern Williams. This will be a race.

Clyde Raleigh is leaving Hutchinson and going to Oregon to practice. I haven't seen Clyde. This came to me through the grape vine. I don't know the particulars.

Ben Hartloff is a newcomer to Leoti. I get this second-hand, too. I think he is with Herschel Washington.

Blake, Jones, Bell and Maben is the new firm in Wichita, with newly-remodeled offices in the Schweiter Building, as of about June 1. Old girls with new dresses and flowers—all herald the occasion.

Either Pat Healy or Bob Hudson will face Warner Moore in the race for the office of county attorney in Sedgwick.

Lee Brown, having served two terms as county attorney of Harvey, is running for a third term. Max Regier and Art Turner are the other two Republican contestants This should bear watching.

Les Holliday and his wife have adopted a baby boy as of about June 15. Les seems as well pleased over the affair as if he had something to do with it.

Wade Wightman has hung up his last

law book—and called it a day. He is moving to Winterhaven, Florida, to spend the best part of his life in the land of sunshine and lakes. Good luck, Wade.

Dick Clausing has left Wichita to take a place on F.H.A. at the Topeka office. Someone told me Dick is in charge state wise.

Bert McCluggage is in a Wichita hospital for a major operation as this is written. Mc has been blessed with bad luck and ill health the last several years.

Mrs. Leslie Cable of Chanute had a turn in the hospital during the month of May. Mrs. Cable is the second hand in the office. When she stops—well, things ain't so good.

Hugh Kramer has opened in Olathe with an office over the First National Bank. Ruel Riddel has gone up to Overland Park to cast his lot in the north end of the county.

Chuck Warren, always of Fort Scott, but for the last decade on the Corporation Commission, I understand has resigned to go back home in an attempt to get the county attorneyship of Bourbon. Dan Lardner, the present county attorney, the last I heard had been spending a good deal of time at Mayo's. Dan's eyes have gone bad. He has the past five years been sorely vexed with the trouble. I haven't heard how he fared. I do hope Dan comes through physically and that the eye does better.

Bernard Borst has opened up in Lawrence and Jim White in Ottawa. These are the only two boys from K.U. to open as far as I know. I haven't heard of any of the Washburn boys opening up. If I miss them, I wish they would write me. I would like to give them a welcome.

Russell Shultz has gone down to cast his future with Smith, Gilchrist and Buck. This, of course, at Wichita. Russell is an expert on Federal Employees' Liability, having spent five years in the Rock Island claim department.

Clem, that is a good picture of you in the May 24 Bar-O-Meter, but not nearly as good as Jamie Woll. I am just wondering what you might do to have Jamie pose for us all. Clem Clark is president of the Wichita Bar Association.

Ted O'Hara of Wichita has been made a parent again as of May 9. Ted has gotten settled with an office in the Orpheum Building with Roy Warner and Larry Holmes.

I met Dean McIntyre and his wife one day recently on the street in Kansas City. Mrs. McIntyre seemed to be enjoying the sights. I don't think Dean had too much interest.

I went through Alma a day or so ago. Ed Caroll was buying newsprint for his paper, and at the same time recovering from a game leg ailment he contracted just before a fishing trip got under way. The leg hospitalized Ed. He is out again and going as of now. Jim Parmiter and Vic Hergenreter are candidates to succeed themselves—the former as county attorney and the latter as county judge.

Bob Caplinger left Atchison to go with an insurance company, I think situated at either Omaha or Lincoln, Nebraska. Sorry to see Bob leave.

Dallas and Charlie Knapp of Coffeyville have a new floor covering and air conditioners all over the place. Dallas has slicked up since Charlie got rid of the navy. Aubrey Neale and Ray Belt have followed suit, with new desks, carpets, air coolers, and what have you. Coffeyville has taken on an air of metropolis in recent months. Cy Lamb was fishing somewhere in a foreign land, having gone for a considerable period—at least for Cy. I think a couple of weeks or more. Coffeyville goes ahead!

I understand Judge Carl Ackarman has decided to resign from the bench. As of now a couple of Eureka boys are hot on the trail of the governor, and all parties interested, to get up there. Judge Ackarman has been a faithful servant to all the folks in the district, and has kept the tradition established by his predecessor, who, by the way, was one of Kansas' old school lawyers.

Someone has said history will repeat if given time enough. Judge Resler is the only candidate for district judge in Crawford county, on either ticket. Perry Owsley resigned—left the post vacant after the expiration of this term. I think Perry likes the practice and Judge likes the bench—so all must be happy.

Rolla Coleman of Mission died about May 1. I don't think I reported this. Rolla made a great deal of history in Johnson county, both as a lawyer and as a statesman. He will be missed over on the highway—the one he helped develop. And did it develop!

Roy Cliborn is in with John Keach in an office arrangement, and this, too, is on the old 50 Highway in Mission.

Jay Jenson of Oakley is back home after a prolonged siege in Bell Memorial. I'm glad to report this.

Maurice Wildgen and Glee Smith are in their new office with a blazer of new carpets, bamboo window shades, and all the fixings. Jim Boyd remodeled the Wildgen-Smith office they moved out of. He, too, has a newly remodeled office. Roscoe Peterson is out of the hospital. He is on full days at the office now. Vince Fleming was watching a parade when I went to see him—rodeo in town.

Jack Dalton has taken over the office of O. A. Wilson at Jetmore.

Waren Kopke of Great Bend was a Hutchinson visitor recently. He, too, tells me he has a new office.

Bob Cramm of St. Francis is in Massachusetts on vacation. He vacations ten months of the year, and travels the other two. He leaves all the business for Bob Alsup and Fred Rueb to handle in his absence.

Don and Ruth Postlethwaite have a new office with a ranch house effect on the main street in St. Francis. This since I have seen them.

Bob Lewis of Atwood has a new face on his building and a new dog under the table since I saw him last. The other boys in Atwood still find "gold in 'em hills." They are all prosperous.

I saw a bunch of fellows I don't see too often at the NorthWest Bar meet at Oberlin Saturday, May 22. A good crowd was there. Several, like myself, just happened in. Jim Galle, Earl Hatcher, Claire Robb and Lea Cushenbery entertained them Saturday; LaRue Royce Sunday. We really had two days of it. Herk Morris told us about K.A.P.A. both days. There never was a dull moment.

Jerry Wilson of Kinsley and I had coffee one morning in Kinsley. He and Rae Batt were the only ones I could find. I could never figure why some lawyers pay office rent and don't stay in them.

I see by the Beacon of May 26 that Henry Martz has competition for the fifth division at Wichita. I thought there would be another candidate. Henry wasn't sure about it. Anyhow, ere this appears the primary will have been decided.

Lucille Flinn, our little law librarian in Wichita, told me the Wichita Bar secretaries and wives of the lawyers had a party Tuesday night, May 25. I guess from all accounts it was quite an affair. Art Walker of Arkansas City told of his trip to the Far East and what he had observed in a visit over there. Next time I want to be invited.

Bernie Frigon has announced against Donnie Smith of Dodge City for county attorney. This is a primary scrap, and should bear watching. Looks like a lot of interest will be manifest.

Walker Smith has left Stanolind in Oklahoma City and has come back to Kansas, with the El Dorado Refining Company. Walker says he must be a Kansan at heart. Anyhow, he has a nice layout over the First National Bank in El Dorado.

Doug Myers is a candidate for reelection to the probate court of Ford county. I don't think he has any opposition. Doug likes the work.

Keith Wilcox of Dodge City is a proud parent again—this time a boy born May 18. I know both Keith and the boy are all right. I saw Keith. He told me about the boy.

Joe Bibicki and Lou Eisenbarth have formed a new partnership and moved into their own office in the Kresge Building in Topeka.

Mrs. Hardy, our librarian at Kansas City, Kansas, has been after the Bar to buy her an air conditioner. So far the deal has been delayed. Mrs. Hardy provided her own air cooler—she left for a month's vacation. I called the other day to get the inventory—that's how I knew she was away. Have a good trip, Mrs. Hardy.

NEW MEMBERS, 1954
OF THE BAR ASSOCIATION OF THE STATE OF KANSAS

Name	*Address*
Wells M. Adams	941 Tennesee, Lawrence
J. Eugene Balloun	1758 N. Main Street, Russell
Donald Paul Blinn	Lecompton, Kansas
Grover L. Bryan	1311 W. Third, Topeka
Louis F. Eisenbarth	633 Kansas Ave., Topeka
Arden K. Ensley	1612 College, Topeka
Robert F. Glassman	Box 173, Hays
Sam J. Greer	#18, Washburn Univ., Topeka
Warren E. Groves	1303 Coolidge, Wichita
James L. Houghton	5th Floor State House, Topeka
Samuel C. Jackson	1012 Branner, Topeka
Patrick F. Kelly	736 Hunter, Wichita
Hugh B. Kuder, Jr.	1701 Bryant Bldg., Kansas City, Mo.
Clark Kuppinger	4128 West 69th Terrace, Prairie Village
Ralph L. Larson	532 Kansas Ave., Topeka
Dikran Christopher Milton	1406 Central, Dodge City
Joseph K. Noyes	7012 Beechwood Drive, Chevy Chase, Md.
Glenn E. Opie	2700 16th, Great Bend
D. William Overton	731 Minnesota Ave., Kansas City
John W. Plummer	517½ Main, Newton
H. Jay Setter	211 Westwood, Manhattan
Alan Kent Shearer	414 E. 2nd, Russell
Lewis C. Smith	328 Brotherhood Bldg., Kansas City
Robert E. Stewart	4311 Troup, Kansas City
George L. Stockwell	1513 Seward, Topeka
Robert E. Lee Walker	711 W. Spruce, Dodge City
Charles A. Walsh	Concordia
H. Kip Wells	2433 Mission, Topeka
Dan M. Welty	#49, Washburn Univ., Topeka
James A. Wheeler	National Bank Bldg., Olathe
Roy E. Williams	Box 204, Kingman
J. Robert Wilson	405-A Poyntz, Manhattan
D. Spencer Yohe	6028 Juniper Drive, Mission

COMMITTEE ASSIGNMENTS
1954-1955

MEMBERSHIP COMMITTEES

FIRST DISTRICT

F. C. Bannon, *Chairman* ..... Leavenworth
Frank R. Gray ..... Lawrence
Roy V. Nelson ..... Hiawatha
A. O. Delaney, Jr. ..... Troy
John B. Pierson ..... Ottawa
L. Perry Bishop ..... Paola
Steadman Ball ..... Atchison
William C. Leach ..... Oskaloosa
O. Q. Claflin III ..... Kansas City
Joseph J. Dawes ..... Leavenworth
Clayton Brenner ..... Olathe

SECOND DISTRICT

O. B. Eidson, *Chairman* ..... Topeka
William Drumm ..... Seneca
Donald Sands ..... Holton
James E. Parmiter ..... Alma
A. K. Stavely ..... Lyndon
Charles S. Fisher, Jr. ..... Topeka
Donald Patterson ..... Topeka
William B. McElhenny ..... Topeka
Richard M. Pugh ..... Wamego

THIRD DISTRICT

Jay W. Scovel, *Chairman* ..... Independence
Rex Lafferty ..... Fredonia
Richard L. Ashley ..... Chanute
A. L. Foster ..... Parsons
Douglas G. Hudson ..... Fort Scott
John H. Morse ..... Mound City
H. M. Immel ..... Iola
Gwinn Shell ..... Garnett
Joe L. Levy ..... Coffeyville
Joe W. Moss ..... Independence
Albert Poznik ..... Neodesha
E. E. Lamb ..... Yates Center
Leo Armstrong ..... Columbus
Robert O. Karr ..... Girard
R. L. Letton ..... Pittsburg
Jake Liberman ..... Caney
C. W. Mitchell ..... Cherryvale
Clark Fleming ..... Erie

FOURTH DISTRICT

Harry O. Janicke, *Chairman* ..... Winfield
John Wall ..... Sedan
William R. Howard ..... Arkansas City
Harold G. Forbes ..... Eureka
Leroy Raynolds ..... Emporia
Noel Mullendore ..... Howard
M. F. Litras ..... El Dorado

FIFTH DISTRICT

W. M. Beall, *Chairman* ..... Clay Center
Richard D. Rogers ..... Manhattan
V. E. Danner ..... Ellsworth
Wm. A. Guilfoyle ..... Abilene
Percy H. Collins ..... Belleville
Dean Gibson ..... Concordia
Rowland Edwards ..... Waterville
Harry M. Tompkins ..... Council Grove
Archie T. MacDonald ..... McPherson
Herbert N. Hyland ..... Washington
D. B. Marshall, Jr. ..... Lincoln
Frank D. Oberg ..... Clay Center
Robert Schermerhorn ..... Junction City
John E. Wheeler ..... Marion
L. A. McNalley ..... Minneapolis
H. N. Eller ..... Salina

SIXTH DISTRICT

William M. Ferguson, *Chairman* Wellington
C. E. Russell ..... Wellington
Vernon A. Stroberg ..... Newton
Paul J. Donaldson ..... Wichita
John C. Castor ..... Wichita
Donald I. Mitchell ..... Wichita
Milton P. Zacharias ..... Wichita
Lawrence E. Curfman ..... Wichita
Robert H. Nelson ..... Wichita

SEVENTH DISTRICT

Wesley E. Brown, *Chairman* ..... Hutchinson
John F. Fontron ..... Hutchinson
John Alden ..... Hutchinson
Martin S. Hall ..... Anthony
Jack Copeland ..... St. John
Charles H. Stewart ..... Kingman
W. Luke Chapin ..... Medicine Lodge
Boyce P. Hardman ..... Great Bend
B. V. Hampton ..... Pratt
Arthur C. Hodgson ..... Lyons

EIGHTH DISTRICT

Alex M. Fromme, *Chairman* ..... Hoxie
Lloyd C. Bloomer ..... Osborne
Ray C. Sloan ..... Hoxie
Max A. Campbell ..... Quinter
D. H. Postlethwaite ..... St. Francis
Robert J. Lewis ..... Atwood
L. F. Cushenbery ..... Oberlin
Frank Hahn ..... Phillipsburg
George E. Teeple ..... Mankato
D. A. Hindman ..... Stockton
Casey Jones ..... Hill City

Sam W. G. Lowe ..... Colby
Max L. Jones ..... Goodland
James S. Jenson ..... Oakley
Ernest J. Deines ..... WaKeeney
James E. Taylor ..... Sharon Springs
Richard M. Driscoll ..... Russell
Delmas Haney ..... Hays
J. C. Tillotson ..... Norton

NINTH DISTRICT

D. B. Lang, *Chairman* ..... Scott City
Horace H. Rich ..... Coldwater
Harry A. Waite ..... Dodge City
Glee S. Smith ..... Larned
Langdon L. Morgan ..... Hugoton
Steve W. Church ..... Greensburg
Neil Hotchkiss ..... LaCrosse
Roland Kaarbo ..... Liberal

PROSPECTIVE LEGISLATION

Edward M. Boddington, Sr., *Chairman* ..... Kansas City
Richard L. Becker ..... Cofeyville
Wilford Riegle ..... Emporia
Jay T. Botts ..... Coldwater
R. C. Woodward ..... El Dorado
Warren W. Shaw ..... Topeka
Elvin D. Perkins ..... Emporia
Garner E. Shriver ..... Wichita
John Murray ..... Leavenworth
James W. Porter ..... Topeka
Wm. M. Ferguson, *Ex-Officio* ..... Wellington

One year — Boddington, Becker, Shaw, Porter
Two years—Perkins, Woodward, Botts
Three years—Riegle, Murray, Shriver

PROFESSIONAL ETHICS

J. G. Somers, *Chairman* ..... Newton
J. Richard Hunter ..... Hutchinson
Warren Grant ..... Independence
Paul W. Schmidt ..... Wichita
Robert E. Russell ..... Topeka
Don Foss ..... Great Bend
Corwin C. Spencer ..... Oakley
Thomas M. Van Cleave, Sr. ..... Kansas City
Arthur S. Humphrey ..... Junction City
D. B. Lang, *Ex-Officio* ..... Scott City

One year—Somers, Van Cleave, Humphrey
Two years—Hunter, Spencer, Schmidt
Three years—Grant, Russell, Foss

MEMORIAL COMMITTEE

Robert Garvin, *Chairman* ..... St. John
David J. Wilson ..... Meade
Maurice P. O'Keefe ..... Atchison
Clayton M. Davis ..... Topeka
Eugene G. Coombs ..... Wichita
C. A. P. Falconer ..... Atwood
Roy B. Darlington ..... El Dorado
Clement H. Hall ..... Coffeyville
T. F. Railsback ..... Kansas City
W. M. Beall, *Ex-Officio* ..... Clay Center

One year—Garvin, Wilson, Falconer
Two years—Darlington, Hall, Railsback
Three years—Davis, O'Keefe, Coombs

LEGAL EUCATION AND ADMISSIONS

Schuyler M. Jackson, *Chairman* ..... Topeka
Nona E. Snyder ..... Kansas City
George Stallwitz ..... Wichita
Ford Harbaugh ..... Wellington
Harry W. Fisher ..... Fort Scott
F. J. Moreau ..... Lawrence
T. M. Lillard, Jr. ..... Salina
Dale Corley ..... Garden City
Lawrence Christenson ..... Winfield
O. B. Eidson, *Ex-Officio* ..... Topeka

One year—Jackson, Moreau, Fisher
Two years—Snyder, Stallwitz, Harbaugh
Three years—Lillard, Christenson, Corley

LOCAL BAR ASSOCIATIONS

Fred L. Conner, *Chairman* ..... Great Bend
Frank G. Theis ..... Arkansas City
Charles E. Henshall ..... Chanute
Charles Rauh ..... Hutchinson
Robert F. Galloway ..... Marysville
Knowlton Carson ..... Kansas City
Philip Buzick ..... Topeka
Charles E. Jones ..... Wichita
Wallace T. Wolfe ..... Oberlin
Harry O. Janicke, *Ex-Officio* ..... Winfield

One year—Galloway, Buzick, Conner
Two years—Wolfe, Theis, Henshall
Three years—Carson, Rauh, Jones

ADVISORY

N. W. Bar—Wallace T. Wolfe ..... Oberlin
S. W. Bar—Dave J. Wilson ..... Meade
Central Bar—Robert Schermerhorn ..... Junction City
Wichita Bar—Clem Clark ..... Wichita
S. E. Bar—Elmer Columbia ..... Parsons

PROGRAM COMMITTEE

Joe F. Balch, *Chairman* ..... Chanute
H. M. Immel ..... Iola
John A. Herlocker ..... Winfield

John F. Eberhardt.....Wichita
Hal Harlan .....Manhattan
Thomas H. Finigan.....Kansas City
Jay Kyle .....Topeka
Howard Engleman .....Salina
Robert Gilliland .....Hutchinson
George B. Powers, *Ex-Officio*.....Wichita

One year—Balch, Kyle, Engleman
Two years—Immel, Harlan, Finigan
Three years—Gilliland, Eberhardt, Herlocker

HISTORICAL COMMITTEE

Beryl R. Johnson, *Chairman* .....Topeka
B. M. Dunham.....Chanute
Carl Ackarman .....Sedan
Douglas G. Hudson.....Fort Scott
Malcomb McNaughton .....Leavenworth
J. C. Ruppenthal .....Russell
W. F. Lilleston .....Wichita
Alex Miller .....Salina
Steve W. Church.....Greensburg
Wm. M. Ferguson, *Ex-Officio*..Wellington

One year—Hudson, Lilleston, Church
Two years—Dunham, Ackarman, Johnson
Three years—Ruppenthal, McNaughton, Miller

PUBLIC RELATIONS

Clark A. Wallace, *Chairman*.....Kingman
Jerome Harman .....Columbus
John E. Blake.....Kansas City
Verne M. Laing.....Wichita
J. Donald Lysaught.....Kansas City
Paul R. Wunsch.....Kingman
Thomas D. Hampton, Jr. .....Fredonia
Richard A. Barber.....Lawrence
R. A. Hickey.....Liberal
Roy C. Davis.....Hutchinson
Robert L. Marietta .....Salina
George Barrett .....Pratt
Herman W. Smith, Jr. .....Parsons
Eldon Sloan .....Topeka
D. B. Laing, *Ex-Officio*.....Scott City

One year—Marietta, Barrett, Sloan, Smith
Two years—Harman, Blake, Laing, Lysaught, Wallace
Three years—Wunsch, Hampson, Davis, Hickey, Barber

CITIZENSHIP

Everett E. Steerman, *Chairman*.....Emporia
Leon N. Roulier.....Colby
William Roy Kirby.....Coffeyville
E. Keith Beard .....Meade
Robert Stone Johnson.....Topeka
George R. Lehmberg.....McPherson
Ferd E. Evans, Jr. .....Wichita
Max Wyman .....Hutchinson
William Wagner, Jr. .....WaKeeney
Arthur J. Mellott .....Kansas City
Robert M. Bond .....El Dorado
George B. Powers, *Ex-Officio* .....Wichita

One year—Steerman, Wyman, Evans
Two years—Beard, Johnson, Bond, Wagner
Three years—Roulier, Kirby, Lehmberg, Mellott

ILLEGAL PRACTICE OF THE LAW

C. W. Hughes, *Chairman* .....Dodge City
Arthur Hershberger .....Wichita
Clayton Davis .....Topeka
Leroy W. Raynolds .....Emporia
L. Perry Bishop.....Paola
Don Postlethwaite .....St. Francis
Jay W. Scovel, *Ex-Officio*.....Independence

One year—Raynolds, Hershberger
Two years—Hughes, Davis
Three years—Bishop, Postlethwaite

LEGAL INSTITUTES

Jay H. Sullivan, *Chairman* .....Emporia
O. Q. Claflin III.....Kansas City
Howard Harper .....Junction City
Robert A. Anderson.....Ottawa
Jerome Harman .....Columbus
J. N. Snyder.....Leavenworth
Sam W. G. Lowe .....Colby
Robert M. Finley.....Hiawatha
C. Harold Hughes .....Manhattan
Robert L. Briley.....Chanute
Earle Wright .....Arkansas City
George Teeple .....Mankato
George A. Robb.....Newton
Leadford F. Cusenbery .....Oberlin
Oliver D. Rinehart .....Paola
J. S. Brollier.....Hugoton
Sam Mellinger .....Emporia
Jack Greene .....Wichita
James E. Taylor.....Sharon Springs
Lawrence Weigand .....Wichita
E. S. Hampton .....Salina
John K. Dear .....Kansas City
F. J. Moreau, *Advisory*.....Lawrence
Schuyler W. Jackson, *Advisory*.....Topeka
Wesley E. Brown, *Ex-Officio* ....Hutchinson

STANDARDS FOR TITLE EXAMINATIONS

L. E. Weltmer, *Chairman* ..... Mankato
Hugh Brownfield ..... Kansas City
Auburn G. Light ..... Liberal
Wilbur H. Jones ..... Wichita
Lloyd H. Ruppenthal ..... McPherson
John O'Brien ..... Independence
Paul H. Royer ..... Abilene
H. R. Branine ..... Hutchinson
Randolph Carpenter ..... Topeka
Margaret McGurnaghan ..... Topeka
L. M. Cornish ..... Topeka
D. B. Lang, *Ex-Officio* ..... Scott City

UNIFORM COMMERCIAL CODE STUDY

Stanley E. Toland, *Chairman* ..... Iola
William A. Kahrs ..... Wichita
Jack L. Goodrich ..... Parsons
Charles D. Stough ..... Lawrence
Steadman Ball ..... Atchison
Fred E. Gulick ..... Topeka
Melvin Buck ..... Kansas City
Clayton Brenner ..... Olathe
Basil W. Kelsey ..... Ottawa
Thomas E. Joyce ..... Kansas City
F. C. Bannon, *Ex-Officio* ..... Leavenworth

JUNIOR BAR SECTION

Charles W. McDermott, *Chairman* .. Wichita
Eugene Hackler ..... Olathe
Gwinn Shell ..... Garnett
Stanley L. Lind ..... Kansas City
G. D. McSpadden ..... Winfield
Jack Stewart ..... Hutchinson
John Atherton ..... Hutchinson
Albert M. Ross ..... Kansas City
Wm. M. Ferguson, *Ex-Officio* .. Wellington

RELATIONS WITH ABSTRACTERS

Harold L. Blake, *Chairman* ..... Wichita
Bill Miller ..... Hutchinson
Marlin S. Casey ..... Topeka
William S. Eddy ..... Marysville
C. E. Beymer ..... Lakin
Vernon W. Weber ..... LaCrosse
Wesley E. Brown, *Ex-Officio* .... Hutchinson

TAXATION

Mark L. Bennett, *Chairman* ..... Topeka
H. Jay Gunnels, Jr. ..... Kansas City
Harold R. Schroeder ..... Topeka
Philip H. Lewis ..... Topeka
John Buehler ..... Atchison
Henry H. Asher ..... Lawrence
Oscar F. Belin ..... Wichita
Eugene P. Zuspann ..... Goodland
Frank Liebert ..... Coffeyville
Elmer E. Euwer ..... Goodland
Alex M. Fromme, *Ex-Officio* ..... Hoxie

SELECTION, TENURE AND RETIREMENT OF JUDGES

Donald J. Magaw, *Chairman* ..... Osborne
Edgar C. Bennett ..... Newton
Lloyd M. Kagey ..... Wichita
Wm. H. McHale ..... Kansas City
Howard C. Kline ..... Wichita
Elmer Columbia ..... Parsons
L. J. Bond ..... El Dorado
Jay W. Scovel, *Ex-Officio* ..... Independence

RELATIONS WITH THE MEDICAL PROFESSION

William Tinker, *Chairman* ..... Wichita
Robert N. Partridge ..... Wichita
Donald R. Newkirk ..... Wichita
Henry E. Martz ..... Wichita
George E. Ramskill ..... Burlingame
Wm. M. Mills, Jr. ..... Topeka
Edward Curry ..... Topeka
Blake A. Williamson ..... Kansas City
Donald Hickman ..... Arkansas City
Abraham Weinlood ..... Hutchinson
Harry O. Janicke, *Ex-Officio* ..... Winfield

LEGAL AID COMMITTEE

Everett E. Steerman, *Chairman* ..... Emporia
A. J. Stanley, Jr. ..... Kansas City
Ray Briman ..... Topeka
Arthur H. Snyder ..... Hutchinson
Donald Stewart ..... Independence
Leo Rupar ..... Leavenworth
J. W. Lowry ..... Atchison
James Fussell ..... Leavenworth
A. B. Mitchell ..... Lawrence
O. B. Eidson, *Ex-Officio* ..... Topeka

RELATIONS WITH LAY-ADJUSTERS

Ora D. McClellan, *Chairman* ..... Wichita
Douglas Hudson ..... Fort Scott
Auburn G. Light ..... Liberal
J. R. Rhoades ..... McPherson
Norman Jeter ..... Hays
George B. Powers, *Ex-Officio* ..... Wichita

RELATIONS WITH TRUST BANKERS

Henry V. Gott, *Chairman* ..... Wichita
M. F. Cosgrove ..... Topeka
Kirke Veeder ..... Independence

Edwin C. Brabets ..... Hutchinson
Carl Rice ..... Kansas City
Wesley E. Brown, *Ex-Officio* ..... Hutchinson

RELATIONS WITH REALTORS

Wendell L. Garlinghouse, *Chairman* Topeka
Lester L. Morris ..... Wichita
T. M. Van Cleave, Jr. ..... Kansas City
H. Newlin Reynolds ..... Hutchinson
Fred R. Vieux ..... Augusta
Robert H. Royer ..... Abilene
Roy V. Nelson ..... Hiawatha
Richard L. Becker ..... Coffeyville
Dale M. Bryant ..... Wichita
O. B. Eidson, *Ex-Officio* ..... Topeka

IMPROVEMENT OF LAWS AND PROCEDURE

Wm. C. Kandt, *Chairman* ..... Wichita
Paul H. Heinz ..... Topeka
Lewis L. McLaughlin ..... Marysville
Richard L. Becker ..... Coffeyville
Donald E. Martin ..... Kansas City
Thomas M. Lillard ..... Topeka
LaRue Royce ..... Salina
James E. Taylor ..... Sharon Springs
Willard L. Phillips ..... Kansas City
D. C. Martindell ..... Hutchinson
Leonard O. Thomas ..... Kansas City
W. F. Lilleston ..... Wichita
Roy U. Jordan ..... Emporia
James Putnam ..... Emporia
Sam W. G. Lowe ..... Colby
F. C. Bannon, *Ex-Officio* ..... Leavenworth

MEMBERSHIP ROLL—1954

OF THE BAR ASSOCIATION OF THE STATE OF KANSAS

(Alphabetically by Names of Cities)

ABILENE (Fifth District)
Harold Bolton, Box 416
W. A. Guilfoyle, Case Bldg.
John H. Lehman, Case Bldg.
Paul H. Royer, Box 422
Robert H. Royer, 1003 N. Buckeye
Raymond E. Wolfe, Case Bldg.
ALMA (Second District)
Victor Hergenreter
James E. Parmiter
ANTHONY (Seventh District)
Martin S. Hall, 115 Jennings Ave.
Max D. Hall, 115 N. Jennings Ave.
W. G. Muir, Box 311
ARKANSAS CITY (Fourth District)
Eugene R. Campbell
Wm. E. Cunningham
Kirke W. Dale, Box 621
Grover L. Dunn, Box 434
Hattie Franey, Crescent Bldg.
Donald Hickman, Box 621
William R. Howard, Box 626
Norman M. Iverson, Box 189
Tom Pringle, A. C. Office Bldg.
George W. Stanley, Burford Bldg.
George E. Sybrant, A. C. Office Bldg.
George Templar
Ted Templar, Box 608
Frank G. Theis, Box 492
D. Arthur Walker
Doyle E. White
Earle N. Wright
ATCHISON (First District)
Steadman Ball, Blair Bldg.
John E. Buehler, P. & L. Building
Robert D. Buehler, 202 N. Fifth St.
Lawrence F. Day, Court House
Gerald Foley, Professional Bldg.
J. W. Lowry, Blair Bldg.
J. S. May, Box 223
Maurice P. O'Keefe, Professional Bldg.
Edmund L. Page, Blair Bldg.
Karl W. Root, Professional Bldg.
B. P. Waggener, Professional Bldg.
ATWOOD (Eighth District)
Forest W. Brown
C. A. P. Falconer, Box 673
Robert J. Lewis, Box 673
AUGUSTA (Fourth District)
R. A. Cox, Box 666
J. Morris Moon, Jr., 418½ State
Robert Munroe, Masonic Bldg.
BELLEVILLE (Fifth District)
James W. Bouska, 2107 G Street
Percy H. Collins, 1706 M Street
Henry H. Van Natta, Court House
BELOIT (Eighth District)
R. L. Hamilton
Harold N. Jordan, 1st Natl. Bank Bldg.
Don Noah, Box 298
Ralph H. Noah, 109 S. Elm
Tweed Ross, 1423 N. Hersey
W. N. Tice, 1st Federal Savings & Loan Assn.
Lemoin, A. Willett, Guaranty State Bank Bldg.
BURLINGAME (Second District)
George E. Ramskill, First State Bank
Veva Light Ramskill, First State Bank
BURLINGTON (Fourth District)
William Buckles, Peoples Natl. Bank Bldg.
Frank T. Forbes, Box 209
L. R. Hannen
CALDWELL (Sixth District)
Don B. Stallings
CANEY (Third District)
Jake L. Liberman, 301 W. 4th St.
George H. Wark, Box 235
CHANUTE (Third District)
Robert N. Allen, 3 S. Santa Fe
Richard L. Ashley
Joe Balch
Robert L. Briley
George W. Donaldson, 501 S. Lincoln
B. M. Dunham, Judge 7th Jud. Dist.
Charles E. Henshall, 5½ E. Main Street
John C. McCall
L. Robert Pennington, Box 484
John N. Sherman, Jr., 1st Natl. Bank Bldg.
CHERRYVALE (Third District)
C. W. Mitchell
CHETOPA (Third District)
Dan R. Aul, City Building
CIMARRON (Ninth District)
Chesterman C. Linley
Lester Luther, Luther Bldg.
Max D. Robison
CLAFLIN (Seventh District)
Charles L. Buehler
CLAY CENTER (Fifth District)
W. M. Beall
C. Vincent Jones
Frank D. Oberg, 703 Fifth Street
Wayne W. Ryan
H. L. Sheppeard, 721½ Fifth Street
COFFEYVILLE (Third District)
Richard L. Becker, Columbia Bldg.
Raymond Belt, Plaza Bldg.
Clement H. Hall, Columbia Bldg.
Morris D. Hildreth, Columbia Bldg.
William Roy Kirby, Columbia Bldg.
Charles D. Knapp, Terminal Bldg.
Dallas W. Knapp, Terminal Bldg.
A. R. Lamb, 719 Walnut St.
Joe L. Levy, Columbia Bldg.
Frank W. Liebert, Terminal Bldg.
T. Richard Liebert, Terminal Bldg.
Aubrey Neale, Plaza Bldg.
Clement A. Reed, 509 W. Third
Glenn L. Tongier, Columbia Bldg.
Carl E. Ziegler, Box 465
COLBY (Eighth District)
E. F. Beckner, Connelly Bldg.
Sam W. G. Lowe

Leon N. Roulier, Box 517
Gerald C. Stover, 230 South Grant
Keith R. Willoughby, Box 517
COLDWATER (Ninth District)
Jay T. Botts
Frank E. Daily, Jr.
Harold S. Herd, 110 S. Central
Horace H. Rich
COLUMBUS (Third District)
Leo Armstrong, Box 135
Marc G. Boss
V. J. Bowersock
Jules Doty
Jerome Harman, 725 West Maple
Joe Henbest
L. R. Mulliken
Robert L. Patterson, Box 65
CONCORDIA (Fifth District)
Marvin O. Brummett, 212½ West 6th St.
Dean Gibson
Clarence H. Paulsen, Fidelity State Bank Bldg.
Lee R. Stanford, 219 W. Sixth St.
M. V. B. Van De Mark
Charles A. Walsh
COTTONWOOD FALLS (Fourth District)
Karl W. Masoner, Box 368
COUNCIL GROVE (Fifth District)
Mrs. Constance Brown
Donald E. Brown
David H. Heilman
Harry M. Tompkins
DIGHTON (Ninth District)
J. E. Mowery
Eugene T. Shields
DODGE CITY (Ninth District)
Richard W. Evans, Masonic Temple Bldg.
Bernie D. Frigon, Box 1163
George Gould, Jr., 505 First Ave.
Geo. R. Gould, 505 First Ave.
Frederick L. Hall, First National Bank Bldg.
Collis Russell Harner, Fisrt Natl. Bank Bldg.
C. W. Hughes, First Natl. Bank Bldg.
B. G. Larson
Dikran Christopher Milton, 1406 Central
R. R. Mitchell, Fidelity State Bank Bldg.
Donald C. Smith, Box 125
Robert E. Lee Walker, 711 W. Spruce
James A. Williams, Box 1088
EDWARDSVILLE (First District)
Clifford A. Bantleon
EL DORADO (Fourth District)
George J. Benson, 125½ W. Central Ave.
L. J. Bond, El Dorado Natl. Bank Bldg.
Robert Bond, El Dorado Natl. Bank Bldg.
Thos. M. Burns, 720 W. Second
W. N. Calkins, Judge 13th District
O. J. Connell, Jr., 218 W. Central
W. H. Coutts, Jr., Citizens State Bank Bldg.
Roy B. Darlington, Smith Bldg.
Ervin E. Grant, Box 162
Robert M. King, Box 67
Fred J. Leasure, Box 1044
M. F. Litras, 116½ W. Central Ave.
Walter F. McGinnis
J. B. McKay, Masonic Bldg.
J. B. McKay, Jr., Masonic Bldg.
Gale Moss
Ralph B. Ralston, Box 790
Clem H. Silvers, 125 W. Central Ave.
Pauline Woodward, (Mrs.) Box 111
R. C. Woodward, Box 111
ELKHART (Ninth District)
Edward Denning
Raymond Gates
Shelley Graybill, Bibler Bldg.
Edgar W. White
ELLINWOOD (Seventh District)
G. I. Robinson
Robert E. Southern
ELLIS (Eighth District)
Charles G. Niernberger, Box 232
ELLSWORTH (Fifth District)
Paul Aylward
V. E. Danner
George D. Miner
John V. O'Donnell, Box 103
EMPORIA (Fourth District)
George Allred, Columbia Bldg.
Clarence V. Beck
Champ Graham, Citizens Natl. Bank Bldg.
Roscoe W. Graves, Emporia State Bank Bldg.
Lacy Haynes, Jr., Citizens Bldg.
Roy U. Jordan, Box 82
Richard Mankin, 14 W. 6th Ave.
Samuel Mellinger
Kenneth Peery, Ropfogel Bldg.
Elvin D. Perkins, Citizens Natl. Bank Bldg.
James W. Putnam, 14½ West 6th
L. W. Reynolds, Citizens Natl. Bank Bldg.
E. H. Rees, Citizens Bank Bldg.
Roy W. Riegle, Jr., Box 383
Wilford Riegle, Palace Bldg.
Earl B. Shurtz, 1401 Neosho
Dale A. Spiegel, Emporia State Bank Bldg.
Everett E. Steerman, Citizens Natl. Bank Bldg.
Jay H. Sullivan, District Judge
ERIE (Third District)
Clark M. Fleming, 417 N. Main
Charles F. Forsythe
ESKRIDGE (Second District)
William K. Waugh, Jr., Security State Bank Bldg.
EUREKA (Fourth Disrtict)
Harvey D. Ashworth, Citizens Natl. Bank Bldg.
Carl C. Chase, Crebo Bldg.
Harold G. Forbes, Citizens Natl. Bank Bldg.
Thomas C. Forbes, Citizens Natl. Bank Bldg.
Edward A. Hibbard, Hibbard Abst. Co.
Edward E. Pedroja, Greenwood Motor Bldg.
FORT SCOTT (Third District)
E. E. Blincoe, 1½ No. Main Street
Harry W. Fisher
Douglas G. Hudson, Marble Bldg.
Douglas Hudson, Marble Bldg.
Howard Hudson, Marble Bldg.
Glenn H. Louderback, Louderback Office Bldg.
Frank O'Brien, Marble Bldg.
Walter B. Patterson, Marble Bldg.
Buford L. Shankel, 1½ No. Main Street
FRANKFORT (Fifth District)
William M. Shaffer, Citizens Natl. Bank Bldg.
FREDONIA (Third District)
John W. Cramm, 610½ Madison
Thomas D. Hampson, Jr.
Rex A. Lafferty
Donald C. Vosburgh, Box 282
GALENA (Third District)
Jim Shaw, 600-1-2 Main St.
Oscar M. Yount

GARDEN CITY (Ninth District)
Dale H. Corley
Clyde P. Daniel, 123 West Pine
Arthur M. Fleming, 702 Third
Lloyd Haag, City Attorney
Clifford R. Hope, Jr., 118½ Grant-Keller Bldg.
Clark H. McPherson, 118½ Grant St.
Harrison Smith, Garden Natl. Bank Bldg.
Bert J. Vance, Walters Bldg.
GARNETT (Third District)
Orville J. Cole
Roy L. Cole, Box 86
Clark Howerton
Wayne Loughridge
Gwinn G. Shell, Box 128
Bert L. Woods
GIRARD (Third District)
Robert O. Karr
GOODLAND (Eighth District)
Charles G. Dockhorn
Elmer E. Euwer, Goodland State Bank Bldg.
Max L. Jones, 110 W. 12th Street
Thomas H. Taggart, 908 Main Street
Eugene P. Zuspann
GOVE (Eighth District)
R. H. Thompson
GREAT BEND (Seventh District)
Robert L. Bates, Rinker Bldg.
Leonard A. Birzer, Court House
S. R. Blackburn, Cox Bldg.
Barton Carothers, 2008 Lakin Street
Fred L. Conner, 2010 Broadway
Herbert Diets, 2107 Forest Ave.
Don C. Foss, American State Bank Bldg.
Arthur P. Hagen, 1315½ Main Street
T. W. Hampton, Cox Bldg.
Boyce P. Hardman, 2107 Forest Ave.
Robert P. Keenan, 1st Natl. Bank Bldg.
T. B. Kelley, 2010 Broadway
Warren H. Kopke, Tribune Bldg.
Roy J. McMullen, Court House
Edward R. Moses, 2606 Forest Avenue
E. R. Moses, Jr.
Melvin O. Nuss, Wells Bldg.
Vernon Nuss, Wells Bldg.
Isabel Obee, American State Bank Bldg.
Glenn E. Opie, 2700 16th St.
Loyd H. Phillips, 1802 Broadway
Elmer W. Roth, Wolf Bldg.
Ray S. Schulz, 1315½ Main Street
Lee Turner, Cox Bldg.
Jerry Ward, 2220 17th St.
GREENSBURG (Ninth District)
Steve W. Church
GRINNELL (Eighth District)
Edward Beougher, Box 63
HAYS (Eighth District)
Bernard J. Brungardt
Benedict P. Cruise, Wasinger Bldg.
Norbert Dreiling, 210 E. 6th St.
Clayton S. Flood
E. C. Flood
Robert F. Glassman, Box 173
Delmas Haney, Wasinger Bldg.
Henry F. Herrman, Box 683
Norman W. Jeter, First Natl. Bank Bldg.
Reginald LaBunker, 1500 Walnut
Richard A. Mermis, First National Bank
Edgar M. Miner, Scherer Bldg.
Simon Roth, Jr., Wasinger Bldg.
Paul Ward, Box 270
Fredolin F. Wasinger, Wasinger Bldg.
A. J. Wiles
HERINGTON (Fifth District)
William H. Alward, Bank of Herington Bldg.
HIAWATHA (First District)
Robert M. Finley, Finley Bldg.
L. E. Helvern, 112 S. 7th St.
Richard C. Hite, 409 Miami St.
Chester C. Ingels, Ingels Bldg.
Harry E. Miller, Finley Building
Roy V. Nelson, Morrill-Janes Bank Bldg.
William L. Stevenson, 112 South 7th St.
HILL CITY (Eighth District)
C. E. Birney, 423 North Pomeroy
Marion W. Chipman
Casey Jones
W. L. Sayers
HOISINGTON (Seventh District)
Jery L. Griffth, 165 W. 1st St.
John Henry Lewis, 162 W. Broadway
HOLTON (Second District)
Guy W. Baker
H. E. Crosswhite, Denison State Bank Bldg.
Warden L. Noe, Cope Bldg.
Donald G. Sands, Denison State Bank Bldg.
Harold Sinning, Box 387
HORTON (First District)
Clarence J. Moore
HOWARD (Fourth District)
Hubert Horning
Noel Mullendore
Kathryn Tarwater (Mrs.)
HOXIE (Eighth District)
Alexander Morgan Fromme, 107 North Main
Joseph W. Fromme, 107 N. Main
Ray C. Sloan
HUGOTON (Ninth District)
J. S. Brollier
Don Concannon
A. E. Kramer, Box 235
L. L. Morgan
Bernard E. Nordling, Box 235
Paul A. Wolf
HUMBOLDT (Third District)
L. T. Cannon
Robert Stadler
HUTCHINSON (Seventh District)
John R. Alden, Court House
John G. Atherton, 17 No. Poplar
Edwin C. Brabets, Wolcott Bldg.
H. R. Branine, First Natl. Bank Bldg.
Wesley E. Brown, Wolcott Bldg.
William D. P. Carey, Wolcott Bldg.
C. E. Chalfant, 1st Natl. Bank Bldg.
Bill R. Cole, 1st Natl. Bank Bldg.
Roy C. Davis, Wiley Bldg.
Harry H. Dunn, 1st Natl. Bank Bldg.
Kenneth F. Ehling, 1st Natl. Bank Bldg.
John Fontron, Court House
R. J. Gilliland, Wolcott Bldg.
E. E. Glasscock, Box 987
Elmer P. Goering, American Natl. Bank Bldg.
Charles Hall, 8 Sherman St.
John F. Hayes, Wolcott Bldg.
Wendell S. Holmes, 1st Natl. Bank Bldg.
J. Richards Hunter, 1st Natl. Bank Bldg.
Clair D. Hyter, American Natl. Bank Bldg.

R. Y. Jones, Wiley Bldg.
Walter F. Jones, 1st Natl. Bank Bldg.
Fred C. Littooy, 1st Natl. Bank Bldg.
D. C. Martindell, Wolcott Bldg.
R. C. Martindell, Wolcott Bldg.
Carl William Miller, Wolcott Bldg.
William L. Mitchell, 119 W. Sherman
A. Lewis Oswald, 119 W. Sherman
Clyde A. Raleigh, 1st Natl. Bank Bldg.
Charles Rauh, 1st Natl. Bank Bldg.
H. Newlin Reynolds, Wiley Bldg.
Kenneth E. Sentney, 1st Natl. Bank Bldg.
John H. Shaffer, 7 W. 19th St.
Arthur H. Snyder, 217 E 1st, Office Courts
J. Clair Stevens, Wolcott Bldg.
Jack C. Stewart, Wolcott Bldg.
Arthur T. Symns, Wiley Bldg.
Albert S. Teed, Wolcott Bldg.
Ralph Thorne, 1st Natl. Bank Bldg.
J. N. Tincher, Jr., 1st Natl. Bank Bldg.
Robert E. Upp, 1st Natl. Bank Bldg.
William H. Vernon, Jr., Box 673
Abraham Weinlood, 1st Natl. Bank Bldg.
Eugene A. White, Wiley Bldg.
Bryan Woodson, Wiley Bldg.
Don Wyman, Wiley Bldg.
Max Wyman, Wiley Bldg.

INDEPENDENCE (Third District)

Claude J. Bryant, Box 373
William Gough, Jr., 124 W. Oak
Waren B. Grant, Court House
T. J. Hanlon, 201 S. Park Blvd.
A. H. Harding, Professional Bldg.
Walter L. McVey, Citizens Natl. Bank Bldg.
Walter L. McVey, Jr., Citizens Natl. Bank Bldg.
Harold Medill, Box 460
Joe W. Moss
John F. O'Brien, Box 268
O. L. O'Brien, Box 268
David H. Scott, 500 N. Pennsylvania
Jay W. Scovel
Thomas R. Scovel
Chester Stevens
Donald W. Stewart, Box 463
Kirke C. Veeder, Veeder Bldg.

IOLA (Third District)

Frederick G. Apt, Box 328
Mitchell H. Bushey, Box 328
J. D. Conderman, Iola State Bank Bldg.
John O. Foust, 10½ S. Washington
Spencer A. Gard
H. M. Immel, Box 328
Robert V. Talkington, 1½ E Madison
Frank W. Taylor, 12½ S. Washington
Stanley E. Toland, Box 404

JAMESTOWN (Fifth District)

Carl Anderson

JETMORE (Ninth District)

Walter F. Stueckemann, Box 304

JOHNSON (Ninth District)

Max Dice
Leland E. Nordling

JUNCTION CITY (Fifth District)

James P. Coleman, Court House
Robert L. Deam, 701½ No. Washington
Al B. Fletcher, Jr., Rohrer Bldg.
Howard W. Harper, 707 N Washington St.
Phillip L. Harris, Central Natl. Bank Bldg.
C. L. Hoover, 811 N. Washington
Lee Vaughn Hornbaker, 707 N. Washington
Arthur S. Humphrey, 702½ N. Washington
James V. Humphrey, 702½ N. Washington
Charles I. Platt, 802½ N. Washington
Robert A. Schermerhorn, 811 N. Washington
William F. Stahl, 722½ N. Washington
U. S. Weary, 804½ N. Washington

KANSAS CITY (First District)

Bernhard W. Alden, Brotherhood Bldg.
Frank L. Bates, Getty Bldg.
Edward A. Benson, Jr., Bennett Bldg.
John E. Blake, Comml. Natl. Bank Bldg.
Edward M. Boddington, Huron Bldg.
E. M. Boddington, Jr., Huron Bldg.
Laird P. Bowman, Comml. Natl. Bank Bldg.
Norma Braly, Huron Bldg.
Wash H. Brown, Brotherhod Bldg.
Hugh E. Brownfield, New Brotherhod Bldg.
Melvin E. Buck, Huron Bldg.
John J. Bukaty, 903 N. 7th St.
Wm. J. Burns, Brotherhood Bldg.
David W. Carson, Brotherhood Bldg.
Knowlton E. Carson, Brotherhood Bldg.
O. Q. Claflin, Court House
Joseph Cohen, Huron Bldg.
Donald H. Corson, Brotherhod Bldg.
James K. Cubbison, 903 N. 7th St.
John K. Dear, Brotherhod Bldg.
M. Raymond Dillon, Huron Bldg.
J. O. Emerson, Huron Bldg.
Bill E. Fabian, Comml. Natl. Bank Bldg.
Robert E. Fabian, Comml. Natl. Bank Bldg.
Alan W. Farley, Huron Bldg.
Thomas H. Finigan, Bennett Bldg.
Edward Louis Fischer, Court House
E. D. Fitzgibbon, 612 Tauromee
Lloyd J. Frevert, 1135 Minnesota
Louis R. Gates, Comml. Natl. Bank Bldg.
Newell A. George, Brotherhood Bldg.
Donald W. Giffin, 5048 Parish Drive
H. Jay Gunnels, Jr., Bennett Bldg.
Harold H. Harding, New Brotherhood Bldg.
Hylton Harman, Comm'l Natl. Bank Bldg.
J. Willard Haynes, Brotherhood Bldg.
A. J. Herrod, New Brotherhood Bldg.
Eugene W. Hiatt, 4316 Dixie Court
James L. Hogin, Brotherhood Bldg.
James D. Howell, Comml. Natl. Bank Bldg.
T. C. Hurst, Comml. Natl. Bank Bldg.
Joseph P. Jenkins, Huron Bldg.
Thomas E. Joyce, Huron Bldg.
Albert O. Kiesow, Bennett Bldg.
Walter G. Klamm, New Brotherhood Bldg.
Jerome S. Koehler, New Brotherhood Bldg.
Eldon L. Lackey, 2605 Minnesota
Stanley L. Lind, Brotherhood Bldg.
Don Little, 819 N. 7th St.
Robert D. Loughbom, Huron Bldg.
Chas. W. Lowder, New Brotherhood Bldg.
J. Donald Lysaught, Brotherhood Bldg.
Thomas C. Lysaught, Huron Bldg.
Patrick B. McAnany, Commercial Bldg.
W. H. McCamish, Bennett Bldg.
Wm. H. McHale, Court House
Donald E. Martin, 704 N. 16th St.
Arthur J. Mellott, Federal Bldg.
Harry Miller, Jr., Court House
Marion C. Miller, Bennett Bldg.
O. Richard Millsap, Brotherhood Bldg.

C. Clyde Myers, City Court
D. William Overton, 731 Minnesota Ave.
Willard L. Phillips, Comml. Natl. Bank Bldg.
Joseph J. Poizner, 705 N. 22nd St.
T. F. Railsback, Bennett Bldg.
Carl V. Rice, Huron Bldg.
Claude L. Rice, Huron Bldg.
H. S. Roberts, Bennett Bldg.
Fred Robertson, 2219 Washington Blvd.
Jim Robinson, 2625 N. 49th
Albert M. Ross, Bennett Bldg.
Charles S. Schnider, Huron Bldg.
J. E. Schroeder, Brotherhood Bldg.
John E. Shamberg, Huron Bldg.
Royce D. Sickler, Federal Bldg.
Lewis C. Smith, Brotherhood Bldg.
Nona E. Snyder, Brotherhod Bldg.
Arthur J. Stanley, Jr., Brotherhood Bldg.
A. J. Stanley, Sr., Brotherhood Bldg.
Robert E. Stewart, 4311 Troup
Thomas A. Stratton, 768 County Line
Bernard B. Strayer, 5238 Belinder Ave.
Milton Sullivant, Brotherhood Bldg.
Anthony S. Thomas, Jr., 1811 Quindaro Blvd.
Leonard O. Thomas, Brotherhood Bldg.
Frank H. Thompson, Brotherhood Bldg.
Thomas M. Van Cleave, Comml. Natl. Bank Bldg.
Tom Van Cleave, Jr., Commercial Bldg.
Lee Vaughn, 903 N. 7th St.
Lee E. Weeks, Brotherhood Bldg.
Willard Graves Widder, 808 N. Washington Blvd.
Blake A. Williamson, 903 N. 7th St.

KINGMAN (Seventh District)

S. S. Alexander
Claude E. Jurney, 201 North Main
Martha McKenna (Miss), Box 106
Olin Stansbury, Jr., Box 183
Charles H. Stewart, First Natl. Bank Bldg.
Clark A. Wallace, Court House
Roy E. Williams, Box 204
Paul R. Wunsch

KINSLEY (Ninth District)

R. E. Batt
Jerome K. Wilson, Box 447

LA CROSSE (Ninth District)

Neil Hotchkiss, Box 245
Roland B. Stang, 420 W. 6th
Vernon W. Weber

LAKIN (Ninth District)

C. E. Beymer, Beymer Bldg.

LARNED (Ninth District)

James R. Boyd, Box 588
Vincent Fleming, 116 W. 5th St.
Roscoe E. Peterson
Glee S. Smith, Jr.
Russell L. Strobel, 501¼ Broadway
W. H. Vernon, 602 Broadway
Maurice A. Wildgen, 1024 State
Morgan Wright, Box 427

LAWRENCE (First District)

Milton P. Allen, 2022 Vermont
Richard F. Allen, Standard Life Bldg.
Wayne Allphin, Jr., 704 Massachusetts
Warren Andreas, 1423 Ohio
Alan F. Asher
Henry H. Asher, Lawrence Natl. Bank Bldg.
Richard A. Barber, Lawrence Natl. Bank Bldg.
Bernard V. Borst, 441 Ohio
John W. Brand, Lawrence Natl. Bank Bldg.
Chapin D. Clark, 907 Arkansas Ave.
Frank R. Gray, Court House
James B. Gurley, 2233 East Drive
Bernard L. Hausherr, Box 556
Forrest A. Jackson, Lawrence Natl. Bank Bldg.
Ralph M. King, Jr., 832 Mississippi
Robert G. Lauck, 305 E. 19th St.
Charles S. Lindberg, Apt. 5, 11th & Missouri
Jack C. Maxwell, Lawrence Natl. Bank Bldg.
George K. Melvin, 740½ Massachusetts
A. B. Mitchell, Jayhawker Bldg.
F. J. Moreau, Univ. of Kansas
J. Iden Nelson, 726 Mississippi
Robert B. Oyler, 700 Massachusetts
A. A. Perkins, Box 543
James L. Postma, Jayhawk Theatre Bldg.
Jean Purdy, WREN Bldg.
Charles Rankin, 1847 Barker
Raymond F. Rice, K. P. & L. Bldg.
Richard L. Sias, 1301 Vermont
M. C. Slough, School of Law, Kansas U.
Charles A. Springer, Lawrence Natl. Bank Bldg.
Richard B. Stevens, Lawrence Natl. Bank Bldg.
C. C. Stewart
Charles D. Stough, 1046 Vermont St.
Julian H. Zimmerman, 1513 Crescent

LEAVENWORTH (First District)

F. C. Bannon, 419 Shawnee
Lee Bond, 1st Natl. Bank Bldg.
C. H. Boone, Axa Bldg.
Tom Boone, Axa Bldg.
E. Bert Collard, Jr., 6th & Delaware
Homer Davis, Mfg. Bk. Bldg.
Jesse A. Hall, Axa Bldg.
Malcolm McNaughton, 1st Natl. Bank Bldg.
John H. Murray, Mfg. Bank Bldg.
Ethan Potter, 419 Shawnee
Leo M. Rupar, Mfg. Bank Bldg.
James N. Snyder, 1st Natl. Bank Bldg.

LECOMPTON (First District)

Donald Paul Blinn

LEOTI (Ninth District)

Benjamin Hartloff
G. E. Rewerts, 1st State Bank Bldg.
Herschel L. Washington

LIBERAL (Ninth District)

Richard Hickey, Miller Bldg.
Herbert Hobble, Jr., Box 510
John C. King, Box 962
Auburn G. Light
Rex A. Neubauer, Miller Bldg.
Samuel H. Riggs, Box 979
Victor H. Teagarden, Box 712
Charles Vance
Bill Wood, Box 871
James R. Yoxall, Light Bldg.

LINCOLN (Fifth District)

John J. McCurdy
D. B. Marshall, Jr.
W. W. Urban
Richard Wahl

LINDSBORG (Fifth District)

John Altenborg
E. W. Jernberg, 112 No. Main

LYNDON (Second District)

Marian Mussatto Burns (Mrs.)
Harry T. Coffman, Tiffany Bldg.
Alex Hotchkiss, McDaniel Bldg.

Leonard W. McAnarney
A. K. Stavely
LYONS (Seventh District)
Granville M. Bush, Chandler Natl. Bank Bldg.
Harold Gibson
Arthur C. Hodgson, Box 529
Rubert G. Martin
L. E. Quinlan
Georgia E. Wells (Miss), Box 107
Frederick Woleslagel, Chandler Natl. Bank Bldg.
McPHERSON (Fifth District)
George L. Allison
Russ B. Anderson, Allison Bldg.
John K. Bremyer, 105 S. Ash
James A. Cassler, Peoples Bank Bldg.
H. Dean Cotton, 201 S. Main
Charles D. Johnson
Paul A. Lackie
George R. Lehmberg, McPherson & Citizens Bank Bldg.
Roger W. Lovett, Grand Building
Archie T. MacDonald, Allison Bldg.
Evart Mills, Grand Building
J. R. Rhoades, McPherson & Citizens Bank Bldg.
Lloyd H. Ruppenthal, Box 657
P. H. Willems, Grand Building
MACKSVILLE (Seventh District)
Robert L. Bock
MANHATTAN (Fifth District)
James E. Ahearn, 110 N. Juliette Ave.
Walter Reed Gage, 1840 Anderson Ave.
Hal E. Harlan, Ulrich Bldg.
Charles Hughes, Ulrich Bldg.
C. Harold Hughes, Ulrich Bldg.
William G. Johnston, Ulrich Bldg.
Joseph W. Menzie, Union Natl. Bank Bldg.
Richard D. Rogers, Box 781
H. Jay Setter, 211 Westwood
J. Robert Wilson, 405-A Poyntz
MANKATO (Eighth District)
Robert H. Meyer
George Teeple
L. E. Weltmer, 1st Natl. Bank Bldg.
L. M. Weltmer, 1st Natl. Bank Bldg.
Roderick E. Weltmer
Jess R. White, Hall Bldg.
MARION (Fifth District)
Edward W. Colburn
Edward J. Costello
Roger H. Morse, Box 89
David W. Wheeler, Wheeler Bldg.
John E. Wheeler, Box 150
MARYSVILLE (Fifth District)
William S. Eddy, Box 266
Robert E. Ferguson, Draheim Bldg.
Robert F. Galloway, Professional Bldg.
Lewis L. McLaughlin, Court House
K. V. Moses, Exchange Bank Bldg.
MEADE (Ninth District)
E. Keith Beard, 1st Natl. Bank Bldg.
Ernest M. Vieux
David J. Wilson, 1st Natl. Bank Bldg.
J. Robert Wilson
MEDICINE LODGE (Seventh District)
W. Luke Chapin, Box 445
Vernon F. Coss, Box 355
J. Raymond Eggleston, Box 446
Ralph C. Hall
John W. MacGregor, Box 355
Riley W. MacGregor, Box 355
O. M. Wheat, Box 2
MERRIAM (First District)
Louis A. Silks
MILTONVALE (Fifth District)
J. R. Ayres
MINNEAPOLIS (Fifth District)
Evan Corman
L. A. McNalley, Box 181
Virgil R. Moen, Box 245
MISSION (First District)
Raymond H. Carr, 6005 Johnson Drive
John R. Keach, 5420 Johnson Drive
Andrew A. Marsh, 6001 W. 53rd Place
Keith Martin, 5911 Reeds Road
A. J. Pflumm, Cross Building
D. Spencer Yohe, 6028 Juniper Drive
MOUND CITY (Third District)
Leighton A. Fossey
John H. Morse
NEODESHA (Third District)
D. H. Forbes
Albert Poznik
P. W. Stephens, 502 Wisconsin
NESS CITY (Ninth District)
Ray D. McCombs
Basil C. Marhofer, Christy Bldg.
NEWTON (Sixth District)
Edgar C. Bennett, 309 E First
Lelus Brown, 123 E. Broadway
Claude O. Conkey, 500 Main Street
A. W. Geiger, Box 259
Fred Ice, Randall Bldg.
Arnold C. Nye, 509½ Main St.
J. Sidney Nye, 509½ Main St.
Bernard Peterson, 517½ Main St.
John W. Plummer, 517½ Main St.
Max Regier, 616½ Main
George A. Robb, Railroad Loan Bldg.
Alfred G. Schroeder, Box 141
Herbert H. Sizemore, Hanlin Bldg.
J. G. Somers, Railroad Loan Bldg.
Kenneth G. Speir, Hanlin Bldg.
Vernon A. Stroberg, Hanlin Bldg.
Sam H. Sturm, Court House
Arthur N. Turner, Randall Bldg.
Forrest A. Wilson, Railroad Loan Bldg.
NORTON (Eighth District)
Earle E. Brehmer, 511 W. Wilton
Robert W. Hemphill, Court House
William B. Ryan
Keith G. Sebelius, Carter Bldg.
J. C. Tillotson
OAKLEY (Eighth District)
James S. Jenson, Farmers State Bank Bldg.
J H. Jenson, Farmers State Bank Bldg.
C. A. Spencer, Court House
Corwin C. Spencer
OBERLIN (Eighth District)
John M. Bremer, Box 85
Leaford F. Cushenbery, Box 85
Norton Frickey
Wallace T. Wolfe
OLATHE (First District)
John Anderson, Jr.
James H. Bradley, Blankenbeker Bldg.
Clayton Brenner, Box 26
John W. Breyfogle, Jr., Blankenbeker Bldg.
Joseph S. Davis, Jr., Court House

Eugene Hackler, Zimmerman Bldg.
Neal Hambleton, 1st Natl. Bank Bldg.
Harold L. Hammond, 122 E. Park
Harley V. Haskin, Green Bldg.
Murray H. Hodges, First Natl. Bank Bldg.
W. C. Jones
John L. Kirkpatrick, 114 W. Elm St.
Rice Lardner, 212 S. Kansas
Cyrus Leland, Box 506
Roy Goins Lowe
Roy S. Lowe, 1st Natl. Bank Bldg.
Earl E. O'Connor
Howard E. Payne, Savings & Loan Bldg.
James B. Pearson, Court House
Harold R. Riggs
Kenneth D. Travis, 824 Troost Ave.
James A. Wheeler, Jr., Natl. Bank Bldg.

ONAGA (Second District)
Wayne M. Stallard

OSAWATOMIE (First District)
Willis McQueary, 561 Main Street

OSBORNE (Eighth District)
Lloyd C. Bloomer
Dallas Cordill
O. D. Gregory
Louis D. James
Donald J. Magaw

OSKALOOSA (First District)
Wm. C. Leech
James S. Lester

OSWEGO (Third District)
Willis K. Dillenberger

OTTAWA (First District)
Robert A. Anderson, Zellner Bldg.
B. F. Bowers, 1st Natl. Bank Bldg.
Floyd H. Coffman, Court House
Douglas Gleason, Bennett Bldg.
Thos. E. Gleason, Bennett Bldg.
Basil W. Kelsey, 109 W. 2nd St.
John B. Pierson, 210 South Main
Myron Steere, State Bank Bldg.
Donald L. White, 910 Willow

OVERLAND PARK (First District)
Robert P. Anderson
John J. Gardner, 6927 W. 81st St.
Lyndus Henry
Elmer Hoge, 7505 W. 80th St.
Robert G. Knapp, 6817 Walmer Road

PAOLA (First Disrtict)
L. Perry Bishop
William D. Bright
Edward H. Coughlin
Robert E. Coughlin
Robert H. Miller, 109 South Pearl
R. I. Nicholson, Nicholson Drug Bldg.
Oliver D. Rinehart, Potts Bldg.
Karl V. Shawver, Jr., Jewell Bldg.
Wendell Winkler, Theater Bldg.

PARSONS (Third District)
Roy Bennett, Jr., 1515 Morgan St.
Elmer W. Columbia, 1807 Broadway
William J. Dunlay, 2728 Crawford
A. L. Foster, Rust Bldg.
Jack L. Goodrich, 115½ S. 18th
L. E. Goodrich, 114 N. 27th St.
Oren Gray, 220 N. 31st St.
Hal Hyler, Court House
Glenn Jones, 115½ S. 18th
Lloyd W. Jones, 211 M K T Depot Bldg.
Webster W. Kimball, 1802 Main St.
John B. Markham, 1807 Broadway
F. O. Martin, 115½ S. 18th St.
Ed B. O'Hara
J. Logan Shuss, Peoples Bldg. & Loan Bldg.
Herman W. Smith, Jr., 1807 Broadway

PHILLIPSBURG (Eighth District)
W. A. Barron
Frank Hahn, 353 F St.
Stephen S. Sage
William Stowell
W. C. Sullivan

PITTSBURG (Third District)
H. Gordon Angwin, Commerce Bldg.
Sylvan Bruner, Professional Bldg.
Alfred L. Burgert, 210 W. Madison St.
Pete Farabi, Professional Bldg.
Karl K. Grotheer, 425½ North Broadway
William J. Grotheer, 425½ North Broadway
A. B. Keller, National Bank Bldg.
Robert S. Lemon, Box 604
R. L. Letton, 1st Natl. Bank Bldg.
Morris Matuska, Professional Bldg.
Charles H. Menghini, National Bank Bldg.
P. E. Nulton, First National Bank Bldg.
Perry Owsley, Court House
Randall D. Palmer, National Bank Bldg.
Charles J. Rondelli, R. R. #2
L. M. Resler, Professional Bldg.
Simeon Webb, Globe Bldg.
B. W. Weir, Commerce Bldg.
Paul L. Wilbert, National Bank Bldg.

PLEASANTON (Third District)
Harry C. Blaker

PRAIRIE VILLAGE (First District)
Thomas J. Alexander, 4726 W. 78th Terrace
Robert F. Bennett, 3917 Prairie Lane
J. Joseph Conry, 4510 W. 72nd Terrace
Ralph E. Hoke, 5108 W. 73rd St.
James R. Hoover, 3946 W. 69th Terrace
Clark Kuppinger, 4128 W. 69th Terrace
Donald F. Price, 7325 Falmouth

PRATT (Seventh District)
George Barrett, Peoples Bank Bldg.
Richard Barrett, Box 444
B. V. Hampton, Peoples Bank Bldg.
John David Megaffin, Peoples Bank Bldg.
Eldon L. Meigs, 219-21 S. Main
Bill Murray
Clarence E. Renner, Box 806

RED WING (Seventh District)
Donald N. Schauf

RUSSELL (Eighth District)
J. Eugene Balloun, 1758 N. Main St.
Glenn V. Banker, Banker Bldg.
Robert J. Dole, 731½ Main
Richard M. Driscoll, 1-4 Driscoll Rd.
George W. Holland
Herbert N. Holland, 618½ Main St.
Harold W. McCombs, Building & Loan Bldg.
Oscar Ostrum, Building & Loan Bldg.
J. C. Ruppenthal
Alan Kent Shearer, 414 E. 2nd
Marvin E. Thompson, 525 Main

RUSSELL SPRINGS (Eighth District)
Earl Artley

ST. FRANCIS (Eighth District)
E. E. Kite
D. H. Postlethwaite
Fred Rueb

ST. JOHN (Seventh District)
Jack Copeland
Robert Garvin
Harry G. Wiles
ST. MARYS (Second District)
D. M. Sparks
SABETHA (Second District)
Z. P. Sheldon
SALINA (Fifth District)
Rudolph Barta, Farmers Natl. Bank Bldg.
Lawrence O. Bengtson, Box 804
Robert B. Berkley, 417 United Bldg.
A. R. Buzick, Court House
Carl S. Byers, 112½ E. Iron Ave.
Harold H. Chase, United Bldg.
C. L. Clark, Planters State Bank Bldg.
H. F. Crowther, 102½ No. Santa Fe
W. B. Crowther, Farmers Union Bldg.
Arthur B. Dillingham, 244 South Santa Fe
H. H. Dunham, 409 E. Kirwin
H. N. Eller, 109 E. Iron Ave.
Raymond E. Haggart, 109½ N. Santa Fe
E. S. Hampton, United Bldg.
Drew Hartnett, 113½ No. Santa Fe
Bryan J. Hoffman, 109 E. Iron
Morris Johnson, Farmers Union Bldg.
Ralph Knittle, 159½ N. Santa Fe
Tom Lillard, Jr., Planters State Bank Bldg.
Robert L. Marietta, 244 S. Santa Fe
Alexander H. Miller, 112 E. Iron
William C. Millikin, Millikin Bldg.
James P. Mize, Planters State Bank Bldg.
C. Stanley Nelson, United Bldg.
John Q. Royce, United Bldg.
LaRue Royce, United Bldg.
H. A. Santry, Box 486
Patrick H. Thiessen, #8 Tenlawns
D. E. Watson, 203 Farmers Nat'l Bank Bldg.
John Weckel, 725 Highland
SATANTA (Ninth District)
Ernest W. Rothfelder
SCOTT CITY (Ninth District)
Charles H. Fleming, Box 433
D. B. Lang
Harold B. Lewis, Box 181
James W. Wallace
SEDAN (Fourth District)
R. O. Robbins, Box 118
John M. Wall
SENECA (Second District)
John D. Cunningham, Box 7
William M. Drumm
Harry A. Lanning
John P. Quinlan
SHARON SPRINGS (Eighth District)
Jesse I. Linder
James E. Taylor
SHAWNEE (First District)
Jerre F. Hersh, Jr., 12202 W. 56th St.
SMITH CENTER (Eighth District)
Arno Windscheffel, 210 South Main
STERLING (Seventh District)
T. Gra Gaston
J. Paul Stevenson
STOCKTON (Eighth Disrtict)
D. A. Hindman, Box 294
STRONG CITY (Fourth District)
Dudley Doolittle
SUBLETTE (Ninth District)
C. G. Dennis
Merton Elliott
SYRACUSE (Ninth District)
P. C. Frazee
Cecil H. Frey
Robert H. Gale
James S. Terrill
TESCOTT (Fifth District)
John C. Anderson
TOPEKA (Second District)
Mark H. Adams II, 2339 Wayne
Adrian J. Allen, RFD #5
George S. Allen, V. F. W. Bldg.
Harry K. Allen, Columbian Bldg.
Otis S. Allen, V. F. W. Bldg.
A. N. Alt, Central Bldg.
Donald C. Amrein, 760 W. 37th St.
Edward F. Arn, 801 Buchanan
L. M. Ascough, Insurance Bldg.
J. A. Babicki, Natl. Bank of Topeka Bldg.
Eberle A. Baldwin, Apt. 17, Washburn U.
Michael A. Barbara, 1011 Huntoon
John Bausch, 701 Jackson
Milton P. Beach, Federal Bldg.
Marion Beatty, 701 Jackson
Mark L. Bennett, New England Bldg.
Paul D. Berkley, 900 Saline
Charles A. Betsher, 1520 Stratford Road
Thomas C. Boone, #31 Washburn U.
Raymond Briman, New England Bldg.
Grover L. Bryan, 1311 W. 3rd
Roy L. Bulkley, New England Bldg.
Ira Burkholder, Columbian Bldg.
Philip E. Buzick, Natl. Bank of Topeka Bldg.
Peter F. Caldwell
Franklin S. Carman, 1800 Collins St.
Randolph Carpenter, 3621 Holly Lane
Marlin S. Casey, Columbian Bldg.
Walter T. Chaney, New England Bldg.
Glenn D. Cogswell, Natl. Bank of Topeka Bldg.
Harry W. Colmery, Natl. Bank of Topeka Bldg.
Robert M. Corbett, Devon Apt. #18, 12th & Western
L. M. Cornish, Capitol Federal Bldg.
Franklin Corrick, 3rd Floor, State House
Charles Cory, 3020 Sowers Court
M. F. Cosgrove, Natl. Bank of Topeka Bldg.
A. Harry Crane, New England Bldg.
Thos. W. Cunningham, 415 W. Tenth
Edward Curry, Columbian Bldg.
Arthur F. Davis, Stormont Bldg.
Charles L. Davis, Jr., National Reserve Bldg.
Clayton M. Davis, New England Bldg.
Eugene W. Davis, Box 456
Hal C. Davis, Natl. Bank of Topeka Bldg.
Roger L. Davis, 901 Lincoln
John S. Dawson, State House
J. S. Dean, Jr., Columbian Bldg.
C. Robert Deeds, Apt. 76, Washburn U.
Jacob A. Dickinson, New England Bldg.
William W. Dimmitt, Jr., New England Bldg.
Herbert K. Dodd, Apt. 23, Washburn U.
Robert W. Domme, 807 Western
J. E. DuMars, New England Bldg.
Robert F. Duncan, Apt. 39, Washburn U.
Harry L. Eddy, Central Bldg.
O. B. Eidson, New England Bldg.
Louis F. Eisenbarth, 623 Kansas Ave.

Arden K. Ensley, 1612 College
L. H. Euler, New England Bldg.
Thomas M. Evans, 2020 Hope
Charles L. Ewing, Santa Fe Genl. Off. Bldg.
Harold R. Fatzer, 1520 Medford
Charles S. Fisher, Jr., New England Bldg.
David H. Fisher, Natl. Bank of Topeka Bldg.
J. Richard Foth, New England Bldg.
Maurice D. Freidberg, Natl. Bank of Topeka
Ramona L. Funk (Miss), 1309 College
Richard Funk, Columbian Bldg.
R. M. Gaither, 1611 Plass
James L. Galle, State House
Roy D. Gallea, V. F. W. Bldg.
Wendell Garlinghouse, Capitol Federal Bldg.
Phillip C. Gault, New England Bldg.
Ralph F. Glenn, Capitol Federal Bldg.
Lester M. Goodell, Columbian Bldg.
Byron M. Gray, Natl. Bank of Topeka Bldg.
William A. Gray, 823 Quincy
Sam J. Greer, Apt. 18, Washburn U.
Barton E. Griffith, Natl. Bank of Topeka Bldg.
James L. Grimes, Jr., 1251 Topeka Blvd.
Frederick E. Gulick, State House
Lloyd Hall, 4000 Stratford Road
Antrim M. Hambleton, 213 The Drive
W. Glenn Hamilton, Natl. Bank of Topeka Bldg.
W. E. Haney, Natl. Reserve Bldg.
Vernon T. Hanlon, 211 Topeka Blvd.
W. W. Harvey, State House
E. H. Hatcher, National Bank of Topeka Bldg.
Doral H. Hawks, New England Bldg.
Barney J. Heeney, Jr., Natl. Bank of Topeka Bldg.
Paul H. Heinz, Court House
William Hergenreter, Capitol Federal Bldg.
Charles H. Hobart, State House
Bill G. Honeyman, 1931 McAlister
James H. Hope, 532 Kansas Ave.
James L. Houghton, 5th Floor, State House
Nellie Ruth Huffman, Columbian Bldg.
Sidney C. Hunt, V. F. W. Bldg.
W. A. Huxman, Federal Bldg.
Craig Irwin, 1941 Gage
Robert R. Irwin, Crawford Bldg.
Samuel Jackson, 1012 Branner
Schuyler W. Jackson, Law School, Washburn U.
John E. Jandera, 2101 High
Balfour Jeffrey, 3141 W. 15th St.
Beryl R. Johnson, Court House
Robert Stone Johnson, Columbian Bldg.
Ervin Glenn Johnston, State House
Howard A. Jones, National Reserve Bldg.
Robert R. Jones, Columbian Bldg.
Gailen L. Keeling, 1612 College
John E. Kirk, National Bank of Topeka
William B. Kirkpatrick, 2628 Michigan
Nicholas W. Klein, Apt. 66, Washburn U.
Clayton E. Kline, Natl. Bank of Topeka Bldg.
Ralph L. Larson, 532 Kansas Ave.
Wilbur G. Leonard, 841 Oakley
John W. Lewis, Columbian Bldg.
Philip H. Lewis, New England Bldg.
T. M. Lillard, New England Bldg.
Myron L. Listrom, 817 Kansas
Harry R. Logan, 839 N. Kansas Ave.
Helen L. Loomis, 1421 Pembroke Lane
Leon W. Lundblade, State House
Graydon Luthey, 1193 Washburn
Charles C. McCarter, 1924 Stone
Robert A. McClure, Natl. Bank of Topeka Bldg.
Roy N. McCue, Columbian Bldg.
Dean McElhenny, Court House
Wm. B. McElhenny, Natl. Bank of Topeka Bldg.
Allyn McGinnis, Apt. 32, Washburn U.
Margaret McGurnaghan (Miss), Columbian Bldg.
Ray R. McKinley, 1826 Pembroke Lane
C. A. Magaw, Natl. Bank of Topeka Bldg.
Ernest L. Malone, Apt. 40, Washburn U.
Fred A. Mann, Columbian Bldg.
Herbert Marshall, New England Bldg.
Albert B. Martin, 314 Woodlawn
Ward D. Martin, New England Bldg.
Cecil E. Merkel, 1612 College
Allen Meyers, New England Bldg.
William M. Mills, Jr., Columbian Bldg.
Clarence G. Munns, 512 Kansas Ave.
Turner Murrell, Columbian Bldg.
Keith B. Neville, New England Bldg.
Bob H. Newton, 1614 College Ave.
Joe Nickell, 904 Nickell Rd.
Norman Norburg, 532 Kansas Ave.
Ralph W. Oman, Natl. Bank of Topeka Bldg.
Alfred B. Page, 216 W. 6th St.
Jay S. Parker, State House
Donald Patterson, National Reserve Bldg.
Clark B. Payne, 823 Quincy
George E. Peabody, 1600 Grove St.
Leonard W. Pipkin, Jr., Columbian Bldg.
Raymond E. Platt, 2126 Potomac Drive
Melvin C. Poland, 3729 W. 12th St.
Charles F. Pomeroy, 935 Western Ave.
James W. Porter, New England Bldg.
David Prager, New England Bldg.
Harlow Preston, Columbian Bldg.
Robert T. Price, State House
William B. Pringle, Apt. 80, Washburn U.
C. J. Putt, AT&SF Railway Co.
Jack Quinlan, 4117 W. 26th St.
James L. Quinn, New England Bldg.
Fred W. Rausch, Jr., 2501 Mission
Richard L. Reep, 1612 College
William L. Rees, Columbian Bldg.
Ernest J. Rice, V. F. W. Bldg.
R. K. Richey, 2131 Potomac Drive
Charles Riseley, 737 Saline
Mildred Riseley (Mrs.), 737 Saline
Jeff A. Robertson, New England Bldg.
John A. Robinson, Apt. 65, Washburn U.
Charles H. Rooney, New England Bldg.
Charles H. Rooney, Jr., New England Bldg.
Ed Rooney, New England Bldg.
Edward Rooney, Jr., New England Bldg.
F. J. Rost, Natl. Bank of Topeka Bldg.
Robert J. Roth, Apt. 67, Washburn U.
H. A. Russell, 532 Kansas Ave.
Marie Russell, State House
Robert E. Russell, Natl. Bank of Topeka Bldg.
Dick Sangster, 1728 W. 17th
Harold R. Schroeder, Natl. Bank of Topeka Bldg.
Henry Schulteis, Jr., A.T.&S.F. Off. Bldg.
Elisha Scott, 410 Kansas Ave.
George A. Scott, Columbian Bldg.
Donald Sharp, 823 Quincy
Warren W. Shaw, Capitol Federal Bldg.
John W. Shuart, Garlinghouse Bldg.
Harold Shuman, 1308 Boswell
Eldon Sloan, Natl. Bank of Topeka Bldg.
E. R. Sloan, Federal Bldg.

F. A. Sloan, Natl. Bank of Topeka Bldg.
James W. Sloan, Natl. Bank of Topeka Bldg.
Hall Smith, Columbian Bldg.
James E. Smith, Natl. Bank of Topeka Bldg.
Lynn D. Smith, Jr., 1255 Topeka Blvd.
Irwin Snattinger, Natl. Bank of Topeka Bldg.
Ed. H. Sondker, V. F. W. Bldg.
Harold L. Steinrauf, 659 MacVicar
Dewitt M. Stiles, New England Bldg.
Wm. E. Stillings, New England Bldg.
O. R. Stites, Jr., Natl. Bank of Topeka Bldg.
George L. Stockwell, 1513 Seward
Robert Stone, 3717 W. 17th St.
Bill D. Strange, Columbian Bldg.
Floyd D. Strong, Insurance Bldg.
Walter G. Stumbo, Crawford Bldg.
Jack Summers, 1523 Lincoln
Walter G. Thiele, State House
W. K. Thompson, Columbian Bldg.
John William Townsend, Central Bldg.
W. E. Treadway, A.T.&S.F. Railway Co.
Wm. P. Truesdale, State House
Robert R. Turney, 532 Kansas Ave.
Willard Van Slyck, Jr., Natl. Bk of Topeka Bldg.
Tinkham Veale, Veale Bldg.
James D. Waugh, Natl. Bank of Topeka Bldg.
Robert L. Webb, Natl. Bank of Topeka Bldg.
Hugo T. Wedell, 1401 Collins
John Weeks, State House
H. Kip Wells, 2433 Mission
Dan M. Welty, Apt. 49, Washburn U.
William J. Wertz, 600 W. 11th
Robert L. White, Apt. 51, Washburn U.
Beverly Wilder, 2205 Plass
W. Kenneth Wilke, Natl. Bank of Topeka Bldg.
Al F. Williams, New England Bldg.
Paul E. Wilson, State House
Hart Workman, 801 Harrison

TRIBUNE (Ninth District)
Brainard L. Anderson, Beckstrom Bldg.
Wm. V. Dixon
Martin F. Trued, Beckstrom Bldg.

TROY (First District)
A. O. Delaney, Jr.
Robert A. Reeder

ULYSSES (Ninth District)
Frank R. Collins
Edward F. Russell
H. W. Stubbs
W. P. Wesley

VALLEY CENTER (Sixth District)
Byron T. Rowell, 119 N. Meridian St.

VALLEY FALLS (First District)
Gordon K. Lowry

WAKEENEY (Eighth District)
Ralph H. Clark, Clark Bldg.
Ernest J. Deines, Post Office Bldg.
William Wagner, Jr., Hillman Bldg.

WAKEFIELD (Fifth District)
Dan H. Myers, Farmers & Merchants Bank Bldg.

WAMEGO (Second District)
Robert Kaul
Richard M. Pugh, Box 51
James E. Sullivan, 628 Lincoln

WASHINGTON (Fifth District)
A. C. Bokelman
Herbert Hyland
Farel R. Lobaugh

WATERVILLE (Fifth District)
Rowland Edwards

WELLINGTON (Sixth District)
Harlan C. Altman, Jr.
Bert E. Church, Security State Bank Bldg.
Robert H. Cobean, Security State Bank Bldg.
William M. Ferguson
Ford Harbaugh
Lewis E. Nugen
John Potucek, First Natl. Bank Bldg.
Wendell Ready, Box 45
R. J. Renn
F. M. Rogers, 111 E. Harvey Ave.
C. E. Russell
Tom L. Schwinn, 107 E. Lincoln
W. H. Schwinn, 107 E. Lincoln

WESTMORELAND (Second District)
John W. Brookens

WICHITA (Sixth District)
Mark H. Adams, W. K. H. Bldg.
Fred W. Aley, 303 S. Main St.
J. E. Alexander, Derby Bldg.
E. Lael Alkire, Fourth Natl. Bank Bldg.
Roy E. Angle, Orpheum Bldg.
Les Arvin, Beacon Bldg.
George M. Ashford, Court House
W. C. Attwater, Rule Bldg.
Daniel C. Bachmann, 4th Natl. Bank Bldg.
Robert F. Bailey, M & B Professional Bldg.
George W. Ball, Beacon Bldg.
J. O. Ballinger, 1801 So. Fern
R. R. Barnes, 944 N. Pershing
Samuel E. Bartlett, 4th Natl. Bank Bldg.
Fred A. Beaty, Beacon Bldg.
Harold T. Beck, Wichita Federal Savings & Loan Bldg.
Oscar F. Belin, 1st Natl. Bank Bldg.
Harry P. Betzer, 5423 E. Central
Ellis Bever, 1st Natl. Bank Bldg.
Emmet A. Blaes, Farmers & Bankers Life Bldg.
Harold L. Blake, Schweiter Bldg.
Al Blase, Jr., Central Bldg.
Robert E. Blase, Central Bldg.
Harlin E. Bond, 411 E. William
Bill Bonwell, 3255 E. Pine
John E. Boyer, Wichita Fed. Savings & Loan
Robert G. Braden, Farmers & Bankers Life Bldg.
Byron Brainerd, 1st Natl. Bank Bldg.
Sidney J. Brick, Beacon Bldg.
Ralph R. Brock, Brown Bldg.
Benjamin H. Brown, 519½ N. Main St.
George Austin Brown, Court House
Joseph H. Brown, 121 S. Main
Norman L. Brown, 121½ S. Main
Charles C. Browning, Jr., 721 Litchfield
Dale Bruce, Schweiter Bldg.
Dale M. Bryant, Brown Bldg.
Carl L. Buck, Brown Bldg.
F. L. Buellesfeld, 5118 E. Pine
Bernice Burket, 155 N. Pershing
L. John Callahan, 331 N. Erie
Robert D. Caplinger, 2448 Victoria
Stuart R. Carter, 4th Natl. Bank Bldg.
Richard B. Clausing, 4th Natl. Bank Bldg.
Robert M. Coffman, W. K. H. Bldg.
Robert A. Coldsnow, 4th Natl. Bank Bldg.
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Connell, O. J., Jr., El Dorado
Conner, Fred L., Great Bend
Conry, J. Joseph, Prairie Village
Coombs, Eugene G., Wichita
Cooper, Dale H., Wichita
Cooper, Lt. John W., Columbus, Indiana
Cooper, Lloyd F., Wichita
Copeland, Jack, St. John
Corbett, Robert M., Topeka
Cordill, Dallas, Osborne
Corley, Dale H., Garden City
Corman, Evan, Minneapolis
Cornish, L. M., Topeka
Corrick, Franklin, Topeka
Corson, Donald H., Kansas City
Cory, Charles, Topeka
Cosgrove, M. F., Topeka
Coss, Vernon F., Medicine Lodge
Costello, Edward J., Marion
Cotton, Charles E., Wichita
Cotton, H. Dean, McPherson
Coughlin, Edward H., Paola
Coughlin, Robert E., Paola
Coulson, Wayne, Wichita
Coutts, W. H., Jr., El Dorado
Cox, R. A., Augusta
Cramm, John W., Fredonia
Crane, A. Harry, Topeka
Crosswhite, H. E., Holton
Crow, Sam A., Lincoln, Nebraska
Crowther, H. F., Salina
Crowther, W. B., Salina
Cruise, Benedict P., Hays
Cubbison, James K., Kansas City
Cundiff, Morris H., Wichita
Cunningham, John D., Seneca
Cunningham, Thos. W., Topeka
Cunningham, William E., Arkansas City
Curfman, Lawrence E., Wichita
Curry, Edward, Topeka
Cushenbery, Leaford F., Oberlin
Daeschner, R. W., Arlington Heights, Ill.
Daily, Frank E., Jr., Coldwater
Dale, Kirke W., Arkansas City
Dalton, Jess N., Mexico City 1, D. F.
Daniel, Clyde P., Garden City
Danner, V. E., Ellsworth
Darlington, Roy B., El Dorado
Darrah, John Jay, Wichita
Davis, Arthur F., Topeka
Davis, Carl H., Wichita
Davis, Charles L., Jr., Topeka
Davis, Clayton M., Topeka
Davis, Eugene W., Topeka
Davis, Hal C., Topeka
Davis, Homer, Leavenworth
Davis, Joseph S., Jr., Olathe
Davis, Roy C., Hutchinson
Davis, Robert L., Wichita
Davis, Roger L., Topeka
Davis, Worden A., El Monte, Calif.
Dawson, John S., Topeka
Day, Lawrence F., Atchison
Dean, J. S., Jr., Topeka
Dean, Robert L., Junction City
Dear, John K., Kansas City
Deeds, C. Robert, Topeka
Deines, Ernest J., WaKeeney
Delaney, A. O., Jr., Troy
Denning, Edward, Elkhart
Dennis, C. G., Sublette
Depew, Claude I., Wichita
Dice, Max, Johnson
Dickinson, Jacob A., Topeka
Diets, Herbert, Great Bend
Dillenberger, Willis K., Oswego
Dillingham, Arthur B., Salina
Dillon, M. Raymond, Kansas City
Dimmitt, William W., Jr., Topeka
Dixon, William V., Tribune
Dockhorn, Charles G., Goodland
Dodd, Herbert K., Topeka
Dole, Robert J., Russell
Domme, Robert W., Topeka
Donaldson, George W., Chanute
Donaldson, Paul J., Wichita
Donnellan, Robert I., Emporia
Doolittle, Dudley, Strong City
Doty, Jules, Columbus
Dreiling, Norbert, Hays
Driscoll, James E., Seminole, Okla.
Driscoll, Richard M., Russell
Drumm, William M., Seneca
DuMars, J. E., Topeka
Duncan, Robert F., Topeka
Dunham, B. M., Chanute
Dunham, H. H., Salina
Dunlay, William J., Parsons
Dunn, Grover L., Arkansas City
Dunn, Harry H., Hutchinson
Durbin, Samuel C., Wichita
Dwyer, Daniel D., Wichita
Dye, James D., Wichita
Early, Port, Wichita
Eberhardt, John F., Wichita
Eddy, Harry L., Topeka
Eddy, William S., Marysville
Edwards, Rowland, Waterville
Eggleston, J. Raymond, Medicine Lodge
Ehling, Kenneth F., Hutchinson
Eidson, O. B., Topeka
Eisenbarth, Louis F., Topeka
Eller, H. N., Salina
Elliott, Merton, Sublette
Emerson, J. O., Kansas City
Enoch, David W., Colorado Springs, Colo.
Ensley, Arden K., Topeka
Esco, W. Jay, Wichita
Euler, L. H., Topeka
Euwer, Elmer E., Goodland
Evans, Ferd E., Jr., Wichita
Evans, Richard W., Dodge City
Evans, Thomas M., Topeka
Ewing, Charles L., Topeka
Fabian, Bill E., Kansas City
Fabian, Robert E., Kansas City
Fair, J. D., Wichita
Fair, James Dale, Jr., Wichita
Falconer, C. A. P., Atwood
Farabi, Pete, Pittsburg
Farley, Alan W., Kansas City
Farmer, William C., Wichita
Fatzer, Harold R., Topeka
Faulconer, Albert, Winfield

Fellers, D. W., Pensacola, Florida
Ferguson, Robert E., Marysville
Ferguson, William M., Wellington
Finigan, Thomas H., Kansas City
Finley, Robert M., Hiawatha
Fischer, Edward Louis, Kansas City
Fisher, Charles S., Jr., Topeka
Fisher, David H., Topeka
Fisher, Harry W., Fort Scott
Fisher, Orval L., Wichita
Fitzgibbon, E. D., Kansas City
Fleeson, Howard T., Wichita
Fleming, Arthur M., Garden City
Fleming, Charles H., Scott City
Fleming, Clark M., Erie
Fleming, Vincent, Larned
Fletcher, Al. B., Jr., Junction City
Flood, Clayton S., Hays
Flood, E. C., Hays
Foley, D. Emmett, Wichita
Foley, Gerald, Atchison
Fontron, John, Hutchinson
Forbes, D. H., Neodesha
Forbes, Frank T., Burlington
Forbes, Harold G., Eureka
Forbes, Thomas C., Eureka
Forsythe, Charles F., Erie
Foss, Don C., Great Bend
Fossey, Leighton A., Mound City
Foster, A. L., Parsons
Foster, Ralph B., Wichita
Foth, J. Richard, Topeka
Foulston, Robert C., Wichita
Foust, John O., Iola
Franey, Hattie, Arkansas City
Frank, John C., Wichita
Frazee, P. C., Syracuse
Freidberg, Maurice D., Topeka
Frevert, Lloyd J., Kansas City
Frey, Cecil H., Syracuse
Frickey, Norton, Oberlin
Frigon, Bernie D., Dodge City
Fromme, Alexander Morgan, Hoxie
Fromme, Joseph W., Hoxie
Fugate, Justus H., Wichita
Funk, Ramona L. (Miss), Topeka
Funk, Richard, Topeka
Gage, Walter Reed, Manhattan
Gaither, R. M., Topeka
Gale, Robert H., Syracuse
Galle, James L., Topeka
Gallea, Roy D., Topeka
Galloway, Robert F., Marysville
Gamelson, Lyndon, Wichita
Gard, Spencer A., Iola
Gardiner, P. D., Wichita
Gardner, John J., Overland Park
Garlinghouse, Wendell, Topeka
Garrett, Lee, Wichita
Garver, C. William, Kansas City, Missouri
Garvin, Robert, St. John
Gaston, T. Gra, Sterling
Gates, Louis R., Kansas City
Gates, Raymond, Elkhart
Gault, Phillip C., Topeka
Geiger, A. W., Newton
Geisert, Theodore C., Wichita
George, Newell A., Kansas City
Gibson, Dean, Concordia
Gibson, Harold, Lyons
Giffin, Donald W., Kansas City
Gifford, Yale W., Wichita
Gilchrist, Ralph E., Wichita
Gillig, Harry M., Jr., Wichita
Gilliland, R. J., Hutchinson
Glasscock, E. E., Hutchinson
Glassman, Robert F., Hays
Gleason, Douglas, Ottawa
Gleason, Thomas E., Ottawa
Glenn, Ralph F., Topeka
Goering, Elmer P., Hutchinson
Goodell, Lester M., Topeka
Goodrich, Jack L., Parsons
Goodrich, L. E., Parsons
Goodwin, Guy L., Wichita
Goodwin, H. W., Wichita
Gooing, Homer V., Wichita
Gore, Ralph, Wichita
Gott, Henry V., Wichita
Gough, William, Jr., Independence
Gould, Geo. R., Dodge City
Gould, George, Jr., Dodge City
Graham, Champ, Emporia
Grant, Ervin E., El Dorado
Grant, Warren B., Independence
Graves, Roscoe W., Emporia
Gray, Byron M., Topeka
Gray, Frank R., Lawrence
Gray, Oren, Parsons
Gray, William A., Topeka
Graybill, Shelley, Elkhart
Greene, Jack H., Wichita
Greer, Sam J., Topeka
Gregory, O. D., Osborne
Griffith, Barton E., Topeak
Griffith, Jerry L., Hoisington
Griffith, Lt. John, San Francisco, Calif.
Grimes, James L., Jr., Topeka
Grotheer, Karl K., Pittsburg
Grotheer, William J., Pittsburg
Groves, Warren E., Wichita
Guilfoyle, W. A., Abilene
Gulick, Frederick E., Topeka
Gunnels, H. Jay, Jr., Kansas City
Gurley, James B., Lawrence
Haag, Lloyd, Garden City
Hackler, Eugene, Olathe
Hagaman, Frank L., Kansas City, Mo.
Hagen, Arthur P., Great Bend
Haggart, Raymond E., Salina
Hahn, Frank, Phillipsburg
Hall, Charles, Hutchinson
Hall, Clement H., Coffeyville
Hall, Frederick L., Dodge City
Hall, Jesse A., Leavenworth
Hall, Lloyd, Topeka
Hall, Martin S., Anthony
Hall, Max D., Anthony
Hall, Ralph C., Medicine Lodge
Hambleton, Antrim M., Topeka
Hambleton, Neal, Olathe
Hamilton, J. D. M., Philadelphia, Pa.
Hamilton, Max L., Wichita
Hamilton, R. L., Beloit
Hamilton, W. Glenn, Topeka
Hammond, Harold L., Olathe
Hampson, Thomas D., Jr., Fredonia
Hampton, B. V., Pratt

Hampton, E. S., Salina
Hampton, T. W., Great Bend
Haney, Delmas, Hays
Haney, W. E., Topeka
Hanlon, T. J., Independence
Hanlon, Vernon T., Topeka
Hannen, L. R., Burlington
Harbaugh, Ford, Wellington
Harding, A. H., Independence
Harding, Harold H., Kansas City
Hardman, Boyce P., Great Bend
Harlan, Hal E., Manhattan
Harman, Hylton, Kansas City
Harman, Jerome, Columbus
Harms, W. B., Wichita
Harner, Collis Russell, Dodge City
Harper, Howard W., Junction City
Harris, Charles W., Wichita
Harris, Phillip L., Junction City
Harris, Richard Copley, Wichita
Hartloff, Benjamin, Leoti
Hartnett, Drew, Salina
Harvey, W. W., Topeka
Haskin, Harley V., Olathe
Hasty, George E., Wichita
Hasty, Lewis A., Wichita
Hatcher, E. H., Topeka
Haun, William M., Wichita
Hausherr, Bernard L., Lawrence
Hawks, Doral H. Topeka
Hayes, John F., Hutchinson
Haynes, J. Willard, Kansas City
Haynes, Lacy, Jr., Emporia
Heeney, Barney J., Jr., Topeka
Heilman, David, Council Grove
Heinz, Paul H., Topeka
Helvern, L. E., Hiawatha
Hemphill, Robert W., Norton
Henbest, Joe, Columbus
Henley, Lt. Ralph G., San Francisco, Calif.
Henning, Eldridge H., Monmouth, Ill.
Henry, Lyndus, Overland Park
Henshall, Charles E., Chanute
Herd, Harold S., Coldwater
Hergenreter, Victor, Alma
Hergenreter, William, Topeka
Herlocker, John A., Winfield
Herrman, Henry F., Hays
Herrod, A. J., Kansas City
Hersh, Jerre F., Jr., Shawnee
Hershberger, Arthur W., Wichita
Hesse, J. Francis, Wichita
Hiatt, Eugene W., Kansas City
Hibbard, Edward A., Eureka
Hickey, Richard, Liberal
Hickman, Donald, Arkansas City
Hildreth, Morris D., Coffeyville
Hill, Charles W., Paducah, Kentucky
Hill, Clyde, Yates Center
Hill, Delmas C., Wichita
Hill, Robert J., Wichita
Hindman, D. A., Stockton
Hinkle, Fred, Wichita
Hite, Richard C., Hiawatha
Hobart, Charles H., Topeka
Hobble, Herbert, Jr., Liberal
Hobson, James D., Tulsa, Okla.
Hodges, Murray H., Olathe
Hodgson, Arthur C., Lyons
Hoffman, Bryan J., Salina
Hoffstot, W. H., Kansas City, Mo.
Hoge, Elmer, Overland Park
Hogin, James L., Kansas City
Hoke, Ralph E., Prairie Village
Holeman, Clarence, Wichita
Holl, Alfred, Bartlesville, Okla.
Holland, George W., Russell
Holland, Herbert N., Russell
Holloway, Lester A., Wichita
Holly, Manford, Wichita
Holman, Edwin J., Chicago, Ill.
Holmes, Richard W., Wichita
Holmes, Laurence S., Wichita
Holmes, W. E., Wichita
Holmes, Wendell S., Hutchinson
Hondros, George J., Wichita
Honeyman, Bill G., Topeka
Hoover, C. L., Junction City
Hoover, James R., Prairie Village
Hope, Clifford R., Jr., Garden City
Hope, James H., Topeka
Hope, Ralph M., Wichita
Hornbaker, Lee Vaughn, Junction City
Horning, Hubert, Howard
Hotchkiss, Alex, Lyndon
Hotchkiss, Neil, LaCrosse
Houghton, James L., Topeka
Hovey, R. D., Kansas City, Mo.
Howard, William R., Arkansas City
Howe, H. C., Wichita
Howell, James D., Kansas City
Howerton, Clark, Garnett
Hudson, Charles B., Wichita
Hudson, Douglas, Fort Scott
Hudson, Douglas G., Fort Scott
Hudson, Howard, Fort Scott
Hudson, Robert F., Wichita
Huffman, Nellie Ruth, Topeka
Hughes, Charles, Manhattan
Hughes, C. Harold, Manhattan
Hughes, C. W., Dodge City
Hughes, Oliver H., Wichita
Huguenin, A. B., Dallas, Texas
Humphrey, Arthur S., Junction City
Humphrey, James V., Junction City
Hunt, Sidney C., Topeka
Hunter, J. Richards, Hutchinson
Hurst, T. C., Kansas City
Huxman, W. A., Topeka
Hyland, Herbert, Wellington
Hyler, Hal, Parsons
Hyter, Clair D., Hutchinson
Ice, Fred, Newton
Immel, H. M., Iola
Ingels, Chester C., Hiawatha
Irwin, Craig, Topeka
Irwin, Robert R., Topeka
Iverson, Norman M., Arkansas City
Jackson, Forrest A., Lawrence
Jackson, Samuel, Topeka
Jackson, Schuyler W., Topeka
James, Louis D., Osborne
Jandera, John E., Topeka
Janicke, Harry O., Winfield
Jarvis, Chandler F., Winfield
Jeffrey, Balfour, Topeka
Jenkins, Joseph P., Kansas City
Jenson, James S., Oakley
Jenson, J. H., Oakley

Jernberg, E. W., Lindsborg
Jeter, Norman W., Hays
Jochems, Roetzel, Wichita
Jochems, W. D., Wichita
Johnson, Arthur, Wichita
Johnson, Beryl R., Topeka
Johnson, Charles D., McPherson
Johnson, Morris, Salina
Johnson, Robert Stone, Topeka
Johnson, R. W., Washington, D. C.
Johnston, Ervin Glenn, Topeka
Johnston, William G., Manhattan
Jones, Casey, Hill City
Jones, Charles E., Wichita
Jones, C. Vincent, Clay Center
Jones, Glenn, Parsons
Jones, Howard A., Topeka
Jones, H. E., Wichita
Jones, Jerome E., Wichita
Jones, Lloyd W., Parsons
Jones, Max L., Goodland
Jones, Richard O., Wichita
Jones, Robert R., Topeka
Jones, R. Y., Hutchinson
Jones, Walter F., Hutchinson
Jones, W. C., Olathe
Jones, Wilbur H., Wichita
Jordan, G. Mitchell, Wichita
Jordan, Harold N., Beloit
Jordan, Roy U., Emporia
Joyce, Thomas E., Kansas City
Jurney, Claude E., Kingman
Kagey, Lloyd M., Wichita
Kahrs, W. A., Wichita
Kandt, William C., Wichita
Karr, Robert O., Girard
Kaufman, Orval J., Wichita
Kaul, Robert, Wamego
Keach, John R., Mission
Keeling, Gailen L., Topeka
Keenan, Robert P., Great Bend
Keller, A. B., Pittsburg
Kelley, Herbert A., Falls Church, Va.
Kelley, T. B., Great Bend
Kelly, J. W., Kansas City, Mo.
Kelly, Patrick F., Wichita
Kelsey, Basil W., Ottawa
Kennedy, Chas. D., Brownsville, Texas
Kennett, Tom, Wichita
Kidwell, Dale, Wichita
Kiesow, Albert O., Kansas City
Kimball, Webster W., Parsons
Kimberly, Clifford B., Kansas City, Mo.
King, Harlow B., Kansas City, Mo.
King, John C., Liberal
King, Ralph M., Jr., Lawrence
King, Robert M., El Dorado
Kirby, William Roy, Coffeyville
Kirk, John E., Topeka
Kirkpatrick, John L., Olathe
Kirkpatrick, William B., Topeka
Kitch, Paul R., Wichita
Kite, E. E., St. Francis
Klamm, Walter G., Kansas City
Klein, Nicholas W., Topeka
Kline, Clayton E., Topeka
Kline, Howard C., Wichita
Knapp, Charles D., Coffeyville
Knapp, Dallas W., Coffeyville
Knapp, Robert G., Overland Park
Knittle, Ralph, Salina
Koehler, Jerome S., Kansas City
Koerner, Otto J., Wichita
Koopman, Milton A., Wichita
Kopke, Warren H., Great Bend
Kramer, A. E., Hugoton
Kuder, Hugh B., Jr., Kansas City, Mo.
Kuhn, Hubert R., Wichita
Kuppinger, Clark, Prairie Village
LaBunker, Reginald, Hays
Lackey, Eldon L., Kansas City
Lackie, Paul A., McPherson
Lafferty, Rex A., Fredonia
Laing, Verne M., Wichita
Lamb, A. R., Coffeyville
Lamb, E. E., Yates Center
Lampl, Henry, Wichita
Lancelot, John E., Wichita
Lang, D. B., Scott City
Lanning, Harry A., Seneca
Lardner, Rice, Olathe
Larson, B. G., Dodge City
Larson, Ralph L., Topeka
Lasswell, Gerald, Wichita
Lauck, Robert G., Lawrence
Leasure, Fred J., El Dorado
Leech, William C., Oskaloosa
Lehman, John H., Abilene
Lehmberg, George R., McPherson
Leland, Cyrus, Olathe
Lemon, Robert S., Pittsburg
Leonard, Wilbur G., Topeka
Lester, James S., Oskaloosa
Lester, William E., Tulsa, Okla.
Letton, R. L., Pittsburg
Levand, Leonard A., Wichita
Levy, Joe L., Coffeyville
Lewis, Harold B., Scott City
Lewis, John Henry, Hoisington
Lewis, John W., Topeka
Lewis, Philip H., Topeka
Lewis, Robert J., Atwood
Liberman, Jake L., Caney
Liebert, Frank W., Coffeyville
Liebert, T. Richard, Coffeyville
Light, Auburn G., Liberal
Lillard, Tom, Jr., Salina
Lillard, T. M., Topeka
Lilleston, W. F., Wichita
Lind, Stanley L., Kansas City
Linder, Jesse I., Sharon Springs
Lindberg, Charles S., Lawrence
Linley, Chesterman C., Cimarron
Listrom, Myron L., Topeka
Litras, M. F., El Dorado
Little, Don, Kansas City
Littooy, Fred C., Hutchinson
Lobaugh, Farel R., Washington
Logan, Harry B., Topeka
Lomax, Robert S., Wichita
Loomis, Helen L., Topeka
Loomis, Lyle W., Winfield
Louderback, Glenn H., Fort Scott
Loughbom, Robert D., Kansas City
Loughridge, Wayne, Garnett
Lovett, Roger W., McPherson
Lowder, Chas. W., Kansas City
Lowe, Roy Goins, Olathe

Lowe, Roy S., Olathe
Lowe, Sam W. G., Colby
Lowry, Gordon K., Valley Falls
Lowry, J. W., Atchison
Lundblade, Leon W., Topeka
Luther, Lester, Cimarron
Luthey, Graydon, Topeka
Lysaught, J. Donald, Kansas City
Lysaught, Thomas C., Kansas City
MacDonald, Archie T., McPherson
MacGregor, John W., Medicine Lodge
MacGregor, Riley W., Medicine Lodge
McAnany, Patrick B., Kansas City
McAnarney, Leonard W., Lyndon
McCall, John C., Chanute
McCamish, W. H., Kansas City
McCarter, Charles C., Topeka
McCarthy, J. Ruse, Wichita
McClellan, Howard B., Clayton, New Mexico
McClellan, O. D., Wichita
McClintock, Charles F., Wichita
McCluggage, T. V., Wichita
McClure, Robert A., Topeka
McCombs, Harold W., Russell
McCombs, Ray D., Ness City
McCue, Roy N., Topeka
McCullough, John E., St. Louis, Mo.
McCurdy, John J., Lincoln
McDermott, Charles W., Wichita
McDonald, Getto, Wichita
McElhenny, Dean, Topeka
McElhenny, William B., Topeka
McEnulty, Ronald R., Wichita
McGinnis, Allyn, Topeka
McGinnis, Walter F., El Dorado
McGurnaghan, Margaret (Miss), Topeka
McHale, William H., Kansas City
McKay, J. B., El Dorado
McKay, J. B., Jr., El Dorado
McKenna, Martha (Miss), Kingman
McKinley, Ray R., Topeka
McLaughlin, Lewis L., Marysville
McMullen, Roy J., Great Bend
McNalley, L. A., Minneapolis
McNaughton, Malcolm, Leavenworth
McPherson, Clark H., Garden City
McQueary, Willis, Osawatomie
McSpadden, G. D., Winfield
McVey, Walter L., Independence
McVey, Walter L., Jr., Independence
Magaw, C. A., Topeka
Magaw, Donald J., Osborne
Malone, Ernest L., Topeka
Malone, Harold, Wichita
Manka, J. Ashford, Wichita
Mankin, Richard, Emporia
Mann, Fred A., Topeka
Marhofer, Basil C., Ness City
Marietta, Robert L., Salina
Markham, John B., Parsons
Marsh, Andrew A., Mission
Marshall, D. B., Jr., Lincoln
Marshall, Herbert, Topeka
Martin, Albert B., Topeka
Martin, Donald E., Kansas City
Martin, F. O., Parsons
Martin, Keith, Mission
Martin, Robert, Wichita
Martin, Rubert G., Lyons
Martin, Ward D., Topeka
Martindell, D. C., Hutchinson
Martindell, R. C., Hutchinson
Martz, Henry E., Wichita
Mason, R. O., Bartlesville, Okla.
Masoner, Karl W., Cottonwood Falls
Mathews, Marion P., Winfield
Mathews, W. R., Winfield
Matuska, Morris, Pittsburg
Maxwell, Jack C., Lawrence
May, J. S., Atchison
Meador, Lee R., Wichita
Medill, Harold, Independence
Megaffin, John David, Pratt
Meigs, Eldon L., Pratt
Mellinger, Samuel, Emporia
Mellott, Arthur J., Kansas City
Melvin, George K., Lawrence
Menghini, Charles H., Pittsburg
Menzie, Joseph W., Manhattan
Merkel, Cecil E., Topeka
Mermis, Richard A., Hays
Merrick, Robert G., Wichita
Metcalf, Capt. Edward A., Ft. Leonard Wood, Mo.
Meyer, Robert H., Mankato
Meyers, Allen, Topeka
Millard, A. Martin, Wichita
Miller, Alexander H., Salina
Miller, Carl William, Hutchinson
Miller, Harry E., Hiawatha
Miller, Harry, Jr., Kansas City
Miller, Hubert E., Wichita
Miller, Lloyd S., St. Louis, Mo.
Miller, Malcolm, Wichita
Miller, Marion C., Kansas City
Miller, Robert H., Paola
Miller, Lt. Will J., Jr., Park Forest, Ill.
Millikin, William C., Salina
Mills, Evart, McPherson
Mills, Leo W., Yates Center
Mills, William M., Jr., Topeka
Millsap, O. Richard, Kansas City
Milton, Dikran Christopher, Dodge City
Miner, Edgar M., Hays
Miner, George D., Ellsworth
Miner, Stanley C., Wichita
Mitchell, A. B., Lawrence
Mitchell, C. W., Cherryvale
Mitchell, Donald I., Wichita
Mitchell, Eugene E., Wichita
Mitchell, R. R., Dodge City
Mitchell, William L., Hutchinson
Mize, James P., Salina
Moen, Virgil R., Minneapolis
Mohler, John, St. Louis, Mo.
Moon, J. Morris, Jr., Augusta
Moore, Clarence J., Horton
Moore, Warner, Wichita
Moreau, F. J., Lawrence
Morgan, L. L., Hugoton
Morris, C. H., Wichita
Morris, Lester L., Wichita
Morse, John H., Mound City
Morse, Roger H., Marion
Morton, Robert R., Wichita
Moses, Edward R., Great Bend
Moses, E. R., Jr., Great Bend
Moses, K. V., Marysville

Moss, Gale, El Dorado
Moss, Joe W., Independence
Mowery, J. E., Dighton
Moxcey, Thomas O., Borger, Texas
Muir, W. G., Anthony
Mullendore, Noel, Howard
Mulliken, L. R., Columbus
Mullin, Ralph E., Kansas City, Mo.
Mullins, Richard F., Wichita
Munns, Clarence G., Topeka
Munroe, Robert, Augusta
Murray, Bill, Pratt
Murray, C. Edward, Wichita
Murray, John H., Leavenworth
Murrell, Turner, Topeka
Mustard, Thomas D., Wichita
Myers, C. Clyde, Kansas City
Myers, Dan H., Wakefield
Nash, James B., Wichita
Neale, Aubrey, Coffeyville
Nelson, C. Stanley, Salina
Nelson, J. Iden, Lawrence
Nelson, Robert H., Wichita
Nelson, Roy V., Hiawatha
NeSmith, Robert L., Wichita
Neubauer, Rex A., Liberal
Neville, Keith B., Topeka
Newkirk, Donald R., Wichita
Newton, Bob H., Topeka
Nicholson, R. I., Paola
Nickell, Joe, Topeka
Nierberger, Charles G., Ellis
Noah, Don, Beloit
Noah, Ralph H., Beloit
Noe, Warden L., Holton
Nohe, Kenneth M., Wichita
Norburg, Norman, Topeka
Nordling, Bernard E., Hugton
Nordling, Leland E., Johnson
Noyes, Joseph K., Chevy Chase, Md.
Nugen, Lewis E., Wellington
Nulton, P. E., Pittsburg
Nuss, Melvin O., Great Bend
Nuss, Vernon, Great Bend
Nye, Arnold C., Newton
Nye, J. Sidney, Newton
Obee, Isabel (Miss), Great Bend
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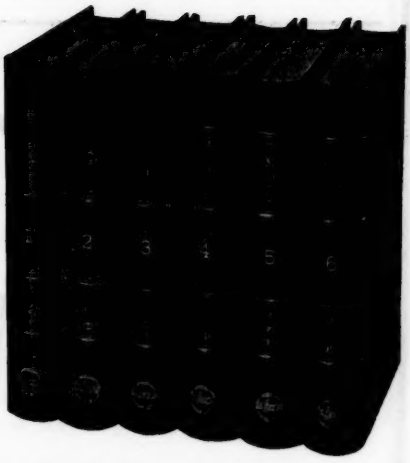

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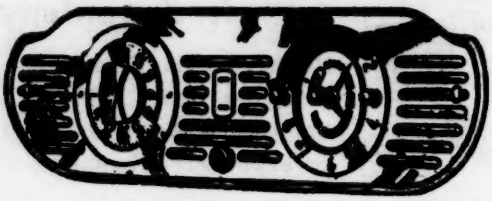

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